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10 *Attorneys for Plaintiff and on behalf of all*
11 *others similarly situated*

ELECTRONICALLY FILED BY

Superior Court of California,

County of Monterey

On 08/22/2025

By Deputy: Conder, Perla

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

13 **FOR THE COUNTY OF MONTEREY - MONTEREY COURTHOUSE**

14 JOSE A. HUERTA CERVANTES,
15 individually, and on behalf of all others
16 similarly situated,

17 Plaintiff,

18 v.

19 JANEBOY, INC., a California corporation;
20 and DOES 1 through 50, inclusive,

21 Defendants.

Case No.: 24CV001741

~~PROPOSED~~ ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
AND PAGA REPRESENTATIVE ACTION
SETTLEMENT

1 **[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL**

2 The Court now has before it Plaintiff's unopposed Motion for Preliminary Approval of Class
3 Action Settlement ("Motion"). After reviewing the Motion, the Class Action Settlement Agreement
4 ("Settlement Agreement") and exhibits attached thereto, and good cause appearing therefore, the
5 Court hereby finds and orders as follows:

6 1. The Court finds on a preliminary basis that the settlement memorialized in the
7 Settlement Agreement appears to be fair and adequate, and falls within the range of reasonableness,
8 and therefore meets the requirement for preliminary approval.

9 2. The Court conditionally certifies for settlement purposes the following class (the
10 "Class" or "Settlement Class"):

11 All non-exempt employees who were employed by Defendant, in the State
12 of California, at any time from April 26, 2020, through March 31, 2025.

13 3. The Court finds, for settlement purposes, that the Class meets the requirements for
14 certification under California Code of Civil Procedure § 382 in that: (1) the Class is so numerous
15 that joinder is impractical; (2) there are questions of law and fact that are common, or of general
16 interest, to the Class, which predominate over any individual issues; (3) Plaintiff's claims are typical
17 of the claims of the Class; (4) Plaintiff and Plaintiff's counsel will fairly and adequately protect the
18 interests of the Class; and (5) a class action is superior to other available methods for the fair and
19 efficient adjudication of the controversy.

20 4. The Court conditionally approves the portion of the settlement pursuant to the Private
21 Attorneys General Act ("PAGA"). The PAGA period means any time between February 21, 2023,
22 through March 31, 2025.

23 5. The Court appoints, for settlement purposes, Plaintiff Jose A. Huerta Cervantes as
24 Representative for the Class.

25 6. The Court appoints, for settlement purposes, The Wheeler Law Firm, APC, as
26 counsel for the Class.

27 7. The Parties are ordered to carry out the Settlement according to the terms of the
28 Settlement Agreement.

1 8. The Court appoints Phoenix Settlement Administrator as the Settlement
2 Administrator and is ordered to carry out the administration of the settlement according to the terms
3 of the Settlement Agreement.

4 9. The Parties are ordered to carry out the Settlement according to the following
5 implementation schedule:

Event	Date
Last day for Defendant to provide the Settlement Administrator with the Class Information	Within 10 calendar days after the date of the preliminary approval order
Last day for Settlement Administrator to mail Notice Packet	Within 10 calendar days after receiving the Class Information
Last day for Class Members to submit a Request for Exclusion or Objection	Within 45 calendar days after the postmark date of the Notice of Class Settlement mailed by the Settlement Administrator (extended if re-mailed)
Last Day to file Motion for Final Approval and Request for Attorneys' Fees and Costs	Per Code.
Final Approval Hearing	January 9, 2026 at 8:30 a.m.

17 10. The Court approves as to form and content the Class Notice (attached as Exhibit 1 to
18 the Settlement Agreement).

19 11. The Court finds that the method of giving notice to the Class constitutes the best
20 means practicable of providing notice under the circumstances. The Court further finds that the
21 Notice Packet and the method of giving notice to the Class meet the requirements of California Code
22 of Civil Procedure § 382, California Rules of Court, Rules 3.766 and 3.769, and due process under
23 the California and United States Constitutions, and other applicable law, as modified to include
24 reference to the employer's right to rescind or terminate the settlement agreement.

25 12. At the Final Approval Hearing, the Court will consider, *inter alia*, whether the
26 Settlement should be finally approved as fair, reasonable and adequate, whether a final judgment
27 should be entered, and whether the payments provided for under the Settlement, including attorneys'
28 fees and costs and class representative service awards, should be finally approved and granted.

1 13. Pending the Final Approval Hearing, all proceedings in this Action, other than
2 proceedings necessary to implement the Settlement and this Order, are stayed.

3 **IT IS SO ORDERED.**

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5 DATED: August 22, 2025


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7 HONORABLE THOMAS W. WILLS
8 JUDGE OF THE SUPERIOR COURT
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