

1 **WILSHIRE LAW FIRM, PLC**
2 Benjamin H. Haber (SBN 315664)
3 benjamin.haber@wilshirelawfirm.com
4 Talar DerOhannessian (SBN 311687)
5 talar.derohannessian@wilshirelawfirm.com
6 Samantha J. Costa (SBN 346526)
7 samantha.costa@wilshirelawfirm.com
8 Alan Wilcox, Esq. (SBN 287476)
9 alan.wilcox@wilshirelawfirm.com
10 Conor J.D. Gomez, Esq. (SBN 337395)
11 conor.gomez@wilshirelawfirm.com
12 660 S. Figueroa St., Sky Lobby
13 Los Angeles, California 90017
14 Telephone: (213) 381-9988
15 Facsimile: (213) 381-9989
16 Attorneys for Plaintiff
17 GUILLERMO PUGA
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12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF SANTA CLARA**

14 GUILLERMO PUGA, individually, and on
15 behalf of all others similarly situated, the State
16 of California, and other aggrieved persons,

17 *Plaintiff,*

18 v.

19 CA DISTRIBUTION RESOURCES LLC, a
20 limited liability company; and DOES 1 through
21 10, inclusive,

22 *Defendants.*

Case No. 24CV432298
Assigned to Hon. Beth McGowen, Dept. 22

Complaint Filed: March 4, 2024
FAC Filed: July 29, 2024
Trial date: Not set

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT
AGREEMENT AND RELEASE OF
CLAIMS BETWEEN PLAINTIFF
GUILLERMO PUGA AND DEFENDANT
CA DISTRIBUTION RESOURCES**

23 PRELIMINARY APPROVAL HEARING

24 Date: February 4, 2027
25 Time: 1:30 p.m.
26 Dept: 22

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2 Samuel J. Maselli (SBN 219503)
3 samuel.maselli@jacksonlewis.com

4 Damian J. Cortez (SBN 357232)
5 damian.cortez@jacksonlewis.com

6 **JACKSON LEWIS P.C.**

7 400 Capitol Mall, Suite 1600

8 Sacramento, CA 95814

9 Telephone: (916) 341-0404

10 Facsimile: (916) 341-0141

11 Attorneys for Defendants

12 CA DISTRIBUTION RESOURCES LLC

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1 The Motion for Preliminary Approval of Class Action and PAGA Settlement and Release
2 of Claims (“Motion”) by Plaintiff Guillermo Puga (“Plaintiff”) came before this Court on February
3 4, 2027, in Department 22 before the Honorable Beth McGowen, presiding. The Court having
4 considered the papers submitted in support of the Motion and good cause appearing therefor,

5 IT IS HEREBY ORDERED:

6 1. The Court grants preliminary approval of the Settlement and the Settlement Class
7 based upon the terms set forth in the Class Action and PAGA Settlement and
8 Release of Claims Between Plaintiff and Defendant (the “Settlement” or “Settlement Agreement”)
9 filed with the Motion. All terms used herein shall have the same meaning as defined in the
10 Settlement Agreement.

11 2. The settlement set forth in the Settlement Agreement appears to be fair, adequate
12 and reasonable to the Class. The Settlement falls within the range of reasonableness and appears to
13 be presumptively valid, subject only to any objections that may be raised at the final fairness hearing
14 and final approval by this Court.

15 3. A final fairness hearing on the question of whether the proposed Settlement,
16 attorneys’ fees and costs to Class Counsel, Class Representatives’ Enhancement Award, penalties
17 of any nature and costs of settlement administration should be finally approved as fair, reasonable
18 and adequate as to the members of the Class is scheduled in Department 22 on the date and time
19 set forth in the Implementation Schedule in Paragraph 10 below.

20 4. This Court approves, as to form and content, the Notice of Proposed Class Action
21 and PAGA Settlement and Hearing Date for Final Court Approval of Settlement (“Class Notice”)
22 (**Exhibit A**). The Court approves the procedure for Class Members to opt out of and to object to
23 the Settlement as set forth in the Stipulation of Settlement and Class Notice.

24 5. The Court directs the mailing of the Class Notice by first-class mail to the Class
25 Members in accordance with the Implementation Schedule set forth in Paragraph 10 below. The
26 Court finds the dates selected for the mailing and distribution of the Class Notice, as set forth in the
27 Implementation Schedule, meet the requirements of due process and provide the best notice

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practicable under the circumstances and shall constitute due and sufficient notice to all persons entitled thereto.

6. It is ordered that the Settlement Class is preliminarily certified for settlement purposes only.

7. The Court confirms Plaintiff as Class Representative and the Wilshire Law Firm as Class Counsel.

8. The Court confirms the appointment of ILYM Group, Inc. as the Settlement Administrator.

9. To facilitate administration of the Settlement pending final approval, the Court hereby enjoins Plaintiff and all Class Members from filing or prosecuting any claims, suits or administrative proceedings (including filing claims with the Division of Labor Standards Enforcement of the California Department of Industrial Relations) regarding claims released by the Settlement, unless and until such Class Members have filed valid Requests for Exclusion with the Settlement Administrator and the time for opting out of the class has elapsed.

10. The Court orders the following Implementation Schedule for further proceedings:

a.	Deadline for Defendant to Submit Class Member and PAGA Member Information to Settlement Administrator	10 calendar days after Order Granting Preliminary Approval
b.	Deadline for Settlement Administrator to Mail Class Notice to Class Members and PAGA Members	14 calendar days after receipt of Class Data from Defendant
c.	Deadline for Class Members to Postmark Requests for Exclusion	60 calendar days after mailing of Class Notice
d.	Deadline for Defendant to provide written Notice of Rescission of Settlement to Class Counsel (if applicable)	21 calendar days after the Request for Exclusion (i.e., opt-out) deadline
e.	Deadline for Receipt by Court, Settlement Administrator, and Counsel of any Objections to Settlement	5 calendar days prior to the Final Approval Hearing

f.	Deadline for Class Counsel to file Motion for Final Approval of Settlement, including Request for Attorneys' Fees and Costs, and Enhancement Awards	16 Court days before Final Approval Hearing
g.	Deadline for Settlement Administrator to file Declaration of Due Diligence and Proof of Mailing	16 Court days before Final Approval Hearing
h.	Final Fairness Hearing and Final Approval	Date: _____ Time: _____ Department: 22
i.	Deadlines for Defendant to fund the Maximum Settlement Amount	65 calendar days after entry of final order of judgment
j.	Deadline for Settlement Administrator to mail Settlement Awards and Enhancement Award, and to wire transfer Attorneys' Fees and Costs (if Settlement is Effective)	10 calendar days after Defendant fully funds the Maximum Settlement Amount and pays payroll taxes on Settlement
k.	Deadline for Class Members and PAGA Members to cash Settlement checks (if Settlement is Effective)	180 calendar days after Settlement Administrator mails Settlement Awards and Enhancement Award
l.	Deadline for Settlement Administrator to distribute uncashed Settlement checks amount to <i>cy pres</i> beneficiary (if Settlement is Effective)	21 calendar days after deadline for class members to cash Settlement checks
m.	Settlement Administrator to provide signed declaration suitable for filing with Court attesting to compliance with all settlement administration obligations.	14 calendar days before Plaintiff's deadline to file a Motion for Final Approval of Class Action and PAGA Settlement and Release of Claims

IT IS HEREBY ORDERED.

Dated: _____

By: _____
The Honorable Beth McGowen
Superior Court Judge