

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: John G. Yslas (187324); Jeffrey C. Bils (301629); Emily Borman (303180) FIRM NAME: WILSHIRE LAW FIRM, PLC STREET ADDRESS: 660 S. Figueroa St., Sky Lobby CITY: Los Angeles STATE: CA ZIP CODE: 90017 TELEPHONE NO.: (213) 381-9988 FAX NO.: (213) 381-9989 E-MAIL ADDRESS: YslasTeamSettlements@wilshirelawfirm.com ATTORNEY FOR (name): Plaintiffs Jesus M. Martinez Jr., Aaron Mendoza, Francisco Varela Jr.	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 751 W. Santa Ana Blvd. MAILING ADDRESS: CITY AND ZIP CODE: Santa Ana 92701 BRANCH NAME: Civil Complex Center	
PLAINTIFF/PETITIONER: JESUS MORAN MARTINEZ JR., et al. DEFENDANT/RESPONDENT: BREWERY X, LLC OTHER:	CASE NUMBER: 30-2023-01370101-CU-OE-CXC JUDICIAL OFFICER: Hon. Melissa R. McCormick
PROPOSED ORDER (COVER SHEET)	DEPT: CX104

NOTE: This cover sheet is to be used to electronically file and submit to the court a proposed order. The proposed order sent electronically to the court must be in PDF format and must be attached to this cover sheet. In addition, a version of the proposed order in an editable word-processing format must be sent to the court at the same time as this cover sheet and the attached proposed order in PDF format are filed.

1. Name of the party submitting the proposed order:
Plaintiffs Jesus M. Martinez Jr., Aaron Mendoza, Francisco Varela Jr.

2. Title of the proposed order:
[Proposed] Order Granting Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement

3. The proceeding to which the proposed order relates is:
 - a. Description of proceeding: Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement
 - b. Date and time: November 13, 2025, 2:00 PM
 - c. Place: Civil Complex Center, 751 W. Santa Ana Blvd., Santa Ana, CA 92701 - Dept. CX104

4. The proposed order was served on the other parties in the case.

Emily Borman

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY OR ATTORNEY)

CASE NAME:
JESUS MORAN MARTINEZ JR., et al. v. BREWERY X, LLC

CASE NUMBER:
30-2023-01370101-CU-OE-CXC

**PROOF OF ELECTRONIC SERVICE
PROPOSED ORDER**

1. I am at least 18 years old and **not a party to this action.**

a. My residence or business address is (*specify*):
660 S. Figueroa St., Sky Lobby, Los Angeles, CA 90017

b. My electronic service address is (*specify*): christina.hicklin@wilshirelawfirm.com

2. I electronically served the *Proposed Order (Cover Sheet)* with a proposed order in PDF format attached, and a proposed order in an editable word-processing format as follows:

a. On (*name of person served*) (*If the person served is an attorney, the party or parties represented should also be stated.*):
Anurita Varma
Greg Labate
SHEPPARD MULLIN

b. To (*electronic service address of person served*): AVarma@sheppardmullin.com; GLabate@sheppardmullin.com

c. On (*date*): 08/29/2025

☐ Electronic service of the *Proposed Order (Cover Sheet)* with the attached proposed order in PDF format and service of the proposed order in an editable word-processing format on additional persons are described in an attachment.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 29, 2025

Christina Hicklin

(TYPE OR PRINT NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)

John G. Yslas (SBN 187324)
john.yslas@wilshirelawfirm.com
Jeffrey C. Bills (SBN 301629)
jeffrey.bills@wilshirelawfirm.com
Emily Borman (SBN 303180)
Emily.borman@wilshirelawfirm.com
Aram Boyadjian (SBN 334009)
aram.boyadjian@wilshirelawfirm.com
Lisa B. Iturriaga (SBN 339678)
Lisa.iturriaga@wilshirelawfirm.com
Andrew Sandoval (SBN 346996)
andrew.sandoval@wilshirelawfirm.com

WILSHIRE LAW FIRM, PLC
660 S. Figueroa St., Sky Lobby
Los Angeles, California 90017
Telephone: (213) 381-9988
Facsimile: (213) 381-9989

Attorneys for Plaintiffs Jesus Moran Martinez, Jr.,
Aaron Mendoza, and Francisco Varela, Jr., individually
and on behalf of others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

JESUS MORAN MARTINEZ JR., AARON
MENDOZA, and FRANCISCO VARELA JR.,
individually, and on behalf of all others similarly
situated, and on behalf of the State of California
and other aggrieved persons,

Plaintiffs,

v.

BREWERY X, LLC, a Delaware limited
liability company; and DOES 1 through 10,
inclusive,

Defendants.

Case No.: 30-2023-01370101-CU-OE-CXC

Assigned for all purposes to:
Hon. Melissa R. McCormick, Dept. CX105

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

PRELIMINARY APPROVAL HEARING

Date: November 13, 2025

Time: 2:00 p.m.

Dept.: CX105

Reservation Number: 74647220

1 **[PROPOSED] ORDER**

2 Having reviewed Plaintiffs' Jesus Moran Martinez, Jr., Aaron Mendoza, and Francisco
3 Varela, Jr. (collectively, "Plaintiffs") Motion for Preliminary Approval of Class Action
4 Settlement ("Motion"), the Declaration of John G. Yslas, the Declaration of Jesus Moran
5 Martinez, Jr., the Declaration of Aaron Mendoza, the Declaration of Francisco Varela, Jr., and
6 the Class Action and PAGA Settlement Agreement and Class Notice ("Settlement Agreement"),
7 and good cause appearing, the Court finds and orders as follows:

8 1. The Court finds on a preliminary basis that the Settlement Agreement appears to
9 be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval.
10 The Court grants preliminary approval of the Settlement and the Settlement Class based on the
11 terms set forth in the Settlement Agreement between Plaintiffs and Defendant Brewery X, LLC
12 ("Defendant" or "Brewery X"), attached to the Declaration of John G. Yslas in Support of
13 Plaintiffs' Motion for Preliminary Approval of Class Action Settlement as **Exhibit 1**.

14 2. The Settlement falls within the range of reasonableness of a settlement which
15 could ultimately be given final approval by this Court, and appears to be presumptively valid,
16 subject only to any objections that may be raised at the Final Approval Hearing and final
17 approval by this Court. The Court notes that Defendant has agreed to create a common fund of
18 \$861,000.00 to cover (a) settlement payments to Class Members who do not validly opt out; (b)
19 a \$25,000.00 allocation toward civil penalties under the Private Attorneys General Act, 75% of
20 which (\$18,750.00) will be paid to the State of California, Labor & Workforce Development
21 Agency and 25% of which (\$6,250.00) will be paid to eligible Aggrieved Employees; (c) Class
22 Representative service payment of up to \$5,000.00 to each Plaintiff; (d) Class Counsel's
23 attorneys' fees, not to exceed one-third of the Gross Settlement Amount (i.e., \$287,000.00), and
24 up to \$20,000.00 in costs for actual litigation expenses incurred by Class Counsel; and (e)
25 Settlement Administration Costs of up to \$8,000.00.

26 3. The Court preliminarily finds that the terms of the Settlement appear to be within
27 the range of possible approval, pursuant to California Code of Civil Procedure § 382 and
28 applicable law. The Court finds on a preliminary basis that: (1) the Settlement amount is fair

1 and reasonable to the Class Members when balanced against the probable outcome of further
2 litigation relating to class certification, liability and damages issues, and potential appeals; (2)
3 significant informal discovery, investigation, research, and litigation have been conducted such
4 that counsel for the Parties at this time are able to reasonably evaluate their respective positions;
5 (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented
6 by the further prosecution of the litigation; and (4) the proposed Settlement has been reached as
7 the result of intensive, serious, and non-collusive negotiations between the Parties with the
8 assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds
9 that the Settlement Agreement was entered into in good faith.

10 4. A final fairness hearing on the question of whether the proposed Settlement,
11 attorneys' fees and costs to Class Counsel, payment to the State of California, Labor &
12 Workforce Development Agency for its share of the settlement of claims for penalties under the
13 Private Attorneys General Act, and Class Representatives Service Payments should be finally
14 approved as fair, reasonable and adequate as to the members of the Class is hereby set in
15 accordance with the Implementation Schedule set forth below.

16 5. The Court provisionally certifies for settlement purposes only the following class
17 (the "Class"): "all non-exempt hourly employees employed by Defendant Brewery X, LLC
18 within the State of California at any time during the Class Period."

19 6. "Class Period" means the period from June 3, 2019 through December 11, 2024.

20 7. The Court finds, for settlement purposes only, that the Settlement Class meets the
21 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
22 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions
23 of law and fact that are common, or of general interest, to all Settlement Class Members, which
24 predominate over individual issues; (3) Plaintiffs' claims are typical of the claims of the
25 Settlement Class Members; (4) Plaintiffs and Class Counsel will fairly and adequately protect
26 the interests of the Settlement Class Members; and (5) a class action is superior to other
27 available methods for the fair and efficient adjudication of the controversy.

28 8. The Court appoints as Class Representatives, for settlement purposes only,

1 Plaintiffs. The Court further preliminarily approves (i) Plaintiffs' ability to request a service
2 payment up to \$5,000.00 each.

3 9. The Court appoints, for settlement purposes only, John G. Yslas, Jeffrey C. Bils,
4 Aram Boyadjian, Emily Borman, Lisa Iturriaga, and Andrew Sandoval of Wilshire Law Firm,
5 PLC, as Class Counsel. The Court further preliminarily approves Class Counsel's ability to
6 request attorneys' fees of up to one-third (1/3) of the Gross Settlement Amount (i.e.,
7 \$287,000.00), and costs not to exceed \$20,000.00.

8 10. The Court appoints ILYM Group, Inc. as the Settlement Administrator with
9 reasonable administration costs estimated not to exceed \$8,000.00.

10 11. The Court approves, as to form and content the Class Notice, attached to the
11 Settlement Agreement. The Court finds on a preliminary basis that plan for distribution of the
12 Notice to Settlement Class Members satisfies due process, provides the best notice practicable
13 under the circumstances, and shall constitute due and sufficient notice to all persons entitled
14 thereto.

15 12. The Parties are ordered to carry out the Settlement according to the terms of the
16 Settlement Agreement.

17 13. Any Class Member who does not timely and validly request exclusion from the
18 Settlement may object to the Settlement Agreement.

19 14. The Court orders the following Implementation Schedule:

EVENT:	DEADLINE:
Defendant to provide Class List to the Settlement Administrator	December 12, 2025 – 30 calendar days following notice by Plaintiffs or the Court of the Preliminary Approval Order
Settlement Administrator to mail the Notice Packets	December 26, 2025 - 14 days after receipt of Class Data

EVENT:	DEADLINE:
Class Member Response Deadline	February 9, 2026 - 45 days after mailing Notice to Class
Class Member Deadline to Object	February 9, 2026 - 45 days after mailing Notice to Class
Deadline for Administrator to Submit Declaration in Support of Motion for Final Approval	March 3, 2026 – 14 days before the last day to file Plaintiffs’ Motion for Final Approval
Deadline to file Motion for Final Approval, Request for Attorney’s Fees and Costs, and Service Awards to Plaintiff	March 17, 2026 - 16 court days before the calendared Final Approval Hearing
Final Approval Hearing	April 9, 2026 at 2:00 p.m., or _____ at 2:00 p.m.

15. The Court further ORDERS that, pending further order of this Court, all proceedings in this lawsuit, except those contemplated herein and in the settlement, are stayed.

IT IS SO ORDERED.

DATE:

Hon. Melissa R. McCormick
Orange County Superior Court