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E-FILED
9/19/2025 1:29 PM
Superior Court of California
County of Fresno
By: Rosa Garza, Deputy

Attorneys for Plaintiff VERONICA BASURTO PIMENTEL,
Individually and on behalf of other similarly situated.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

CIVIL UNLIMITED DIVISION

VERONICA BASURTO PIMENTEL, an
individual and on behalf of others similarly
situated,

Plaintiff,

vs.

AGUSTIN MADRIGAL JR., an individual; and
Does 1 through 100, inclusive,
Defendants.

CASE NO. 24CECG00675

**NOTICE OF MOTION AND MOTION
FOR PRELIMINARY APPROVAL OF
CLASS AND PAGA SETTLEMENT**

*Assigned for All Purposes to Dept. 502
Hon. Kristi Culver Kapetan*

Date: October 16, 2025
Time: 3:30 p.m.
Dept: 502

TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT ON October 16, 2025, at 3:30 p.m., or shortly
thereafter, located at the B.F. Sisk Courthouse, 1130 O Street, Fresno, California 93721-2220,
in Department 502 before the Honorable Kristi Culver Kapetan, Plaintiff VERONICA
BASURTO PIMENTEL ("Plaintiff"), will apply for an order:

**NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS
AND PAGA SETTLEMENT**

1 (1) preliminarily approving the proposed settlement of this class and PAGA action with
2 Defendant;

3 (2) for settlement purposes only, conditionally certifying the class, which is comprised of
4 “all current and former non-exempt, hourly-paid employees who worked for El Dorado Farms
5 during the Class Period”;

6 (3) provisionally appointing Plaintiff VERONICA BASURTO PIMENTEL as the Class
7 and PAGA representative;

8 (4) provisionally appointing Brooke B. Nevels and Christopher E. Nichols of NEVELS
9 NICHOLS, LLP; Lenden F. Webb and Katherine E. Cervantes of WEBB LAW GROUP, APC,
10 as Class Counsel for the Class;

11 (5) approving the form and method for providing notice to the class and aggrieved
12 employees;

13 (6) directing that notice of the proposed settlement be given to the class and aggrieved
14 employees;

15 (7) appointing Simpluris Inc. as the Settlement Administrator;

16 (8) and scheduling a final approval hearing date to consider Plaintiff’s Motion for Final
17 Approval of the Settlement and entry of the judgment.

18 Plaintiff and Defendant have reached a full and final settlement of the above-captioned
19 action, which is embodied in the Class Action and PAGA Settlement Agreement
20 (“Agreement”) attached to the Declaration of Christopher E. Nichols (“Decl. Nichols”).

21 This motion for preliminary approval of the class action and PAGA settlement is
22 brought pursuant to California Rules of Court, Rule 3.769. Plaintiff’s motion will be based on
23 this Notice, the accompanying memorandum of points and authorities, the Declaration of
24 Christopher E. Nichols, the Declaration of Katherine E. Cervantes, the Declaration of Veronica
25 Pimentel, the proposed order, and the complete files and records in this action.

26 This motion will not be opposed by Defendant.
27
28

1 Dated: September 19, 2025

NEVELS NICHOLS, LLP

2
3 By 
4 CHRISTOPHER E. NICHOLS
5 BROOKE B. NEVELS
6 Attorneys for VERONICA BASURTO
7 PIMENTEL
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action. My primary business address is 10650 Treena Street, Suite 212, San Diego, California, 92131. On Friday, September 19, 2025, I served a copy of the following documents:

- **Motion for Preliminary Approval – Notice**
- **Motion for Preliminary Approval – Memorandum of Points and Authorities**
- **Motion for Preliminary Approval – Declaration of Nichols**
- **Motion for Preliminary Approval – Declaration of Webb**
- **Motion for Preliminary Approval – Declaration of Pimentel**

☒ **By Electronic Service:** Based on a court order, Code of Civil Procedure Section 1010.6 and California Rules of Court Rule 2.251, or an agreement of the parties to accept electronic service. I caused the above documents to be sent to the person(s) at the e-mail address(es) set forth below.

☐ **By Mail:** I placed the envelope for collection and mailing at the address(es) below, following our ordinary business practices. I am readily familiar with this firm's business practice for collecting and processing correspondence for mailing, on the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at San Diego, California.

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Attorneys for Plaintiffs

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on Friday, September 19, 2025, at San Diego, California.



NOAH ADAMS