

MIRZAYAN LAW, APLC
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Attorneys for Plaintiff TIMOTHY COX
And the Aggrieved Employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

TIMOTHY COX, individually and on behalf of
all current and former similarly situated
aggrieved employees in the State of California,

Plaintiffs,

v.

GARVEY WHOLESALE BEVERAGE, INC.;
SAN GABRIEL BEVERAGE GROUP; SCOTT
BOGARDUS, an individual; NICHOLAS
CAPRICCIO, an individual; PHILLIP
CAPRICCIO, an individual; and DOES 1 to 50,
inclusive,

Defendants.

) CASE NO.: 30-2024-01392739-CU-OE-CXC

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)

) ASSIGNED FOR ALL PURPOSES TO:

) HON. LAYNE H. MELZER

)

) **NOTICE OF MOTION AND MOTION
FOR APPROVAL OF PAGA**

) **REPRESENTATIVE ACTION**

) **SETTLEMENT; MEMORANDUM OF
POINTS AND AUTHORITIES;**

) **DECLARATION OF NATALIE
MIRZAYAN IN SUPPORT THEREOF**

)

) Court Reservation No.: 74905764

) Date: October 15, 2026

) Time: 2:00 p.m.

) Dept.: CX-102

) Judge: Hon. Layne H. Melzer

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) Case Filed: April 10, 2024

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1 **PLEASE TAKE NOTICE** that on October 15, 2026, at 2:00 p.m. or as soon thereafter as
2 the matter may be heard in Department CX-102 of the above-entitled court, located at 751 W. Santa
3 Ana Blvd., Santa Ana, CA 92701, Plaintiff Timothy Cox (“Plaintiff”), on behalf of himself and all
4 others similarly situated will move and hereby move for Approval of the Proposed PAGA
5 Representative Action Settlement in this case. This motion is unopposed and based on the Private
6 Attorneys General Act Settlement and Release Agreement, which is submitted herewith.

7 Specifically, Plaintiff moves for an order to:

8 1. Grant approval of the terms of the Agreement pursuant to the Labor Code Private Attorneys
9 General Act of 2004, Labor Code § 2698, et seq., including the amount of the settlement, the amount
10 of distributions to the State and the Aggrieved Employees, the amounts allocated to attorneys’ fees
11 and costs, the amount allocated as PAGA Individual Release fees to the named Plaintiff, the amount
12 allocated to the settlement administrator; and

13 2. Direct disbursement of the Gross Settlement Amount pursuant to the terms of the
14 Agreement.

15 This motion will be based on this Notice of Motion, the Memorandum of Points and
16 Authorities filed herewith, the Declaration of Natalie Mirzaya, exhibits attached thereto, agreement
17 of counsel and upon such other material contained in the file and pleadings of this action.

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19 DATED: July 17, 2026

Respectfully submitted,

20 MIRZAYAN LAW, APLC

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22 By: 
23 Natalie Mirzayan
24 Attorney for Plaintiff
25 TIMOTHY COX
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