Carolyn H. Cottrell (SBN 166977)
Ori Edelstein (SBN 268145)
SCHNEIDER WALLACE COTTRELL KIM LLP
2000 Powell Street, Suite 1400
Emeryville, California 94608
Telephone: (415) 421-7100
Facsimile: (415) 421-7105
ccottrell@schneiderwallace.com
oedelstein@schneiderwallace.com

Attorneys for Plaintiff, on behalf of the State of California and Aggrieved Employees

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
11/3/2026 3:20 PM
By: Kristin Breeden, Deputy Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

TONI ARGO, on behalf of the State of California and Aggrieved Employees,

Plaintiff,

vs.

BEVERAGES & MORE, INC.; and DOES 1-100, inclusive,

Defendants,

Case No. 24CV03802
Assigned for all purposes to Hon. Jane Gaskell Dept. 17

NOTICE OF MOTION AND MOTION FOR APPROVAL OF PAGA SETTLEMENT

Date: March 17, 2027
Time: 3:00 pm
Dept. 17

Complaint Filed: June 26, 2024
Trial Date: None Set.

L&M Tentative Rulings may be obtained between 2:00 pm and 4:00 pm on the court day prior to the scheduled hearing at www.sonoma.courts.ca.gov or by phone at 707-521-6606

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on March 17, 2027 at 3:00 a.m./ p.m., or as soon thereafter as the matter may be heard in Department 17 of the Superior Court of California, County of Sonoma, Civil and Family Law Courthouse located at 3035 Cleveland Avenue, Suite 200, Santa Rosa, the Honorable Jane Gaskell presiding, Plaintiff Toni Argo on behalf of herself, and Aggrieved Employees (collectively, "Plaintiff") will move this Court for Judgement and Order Granting Motion for Approval of PAGA Settlement.

The Settlement resolves the claims in this Private Attorneys General Act of 2004 ("PAGA") action. The "Settlement" refers to the Settlement Agreement and Release, attached as **Exhibit 1** to the Declaration of Ori Edelstein in Support of Plaintiff's Motion for Approval of PAGA Settlement, filed concurrently herewith. Unless otherwise indicated, all capitalized terms used herein shall have the meanings assigned to them in the Settlement.

Plaintiff moves the court for Judgment and Order:

1. Granting approval of the proposed Settlement and finding its terms as fair, reasonable, and adequate, including but not limited to the $225,000.00 Gross Settlement Amount;
2. Approving payment in the amount of $116,277.27 from the Gross Settlement Amount for the PAGA claims, $87,207.95 of which is payable to the California Labor and Workforce Development Agency ("LWDA"), and $29,069.32 of which will be distributed to the PAGA Group Members on a *pro rata* basis, as set forth in the Settlement;
3. Approving a Service Award payment of $10,000.00 to named Plaintiff Toni Argo from the Gross Settlement Amount for her efforts on behalf of the Aggrieved Employees, and the State of California;
4. Approving an award of attorneys' fees in the amount of $78,750.00 to PAGA Counsel from the Gross Settlement Amount;
5. Approving an award of litigation costs in the amount of $14,102.73 to PAGA Counsel from the Gross Settlement Amount;

6. Approving payment of $5,870.00 to the Settlement Administrator, Apex Class Action LLC, from the Gross Settlement Amount for administering the Settlement;
7. Entering a final judgment consistent with the terms of the Settlement; and
8. Approving the implementation schedule contained in the Proposed Order and Judgment, filed concurrently herewith, and reiterated below:

Within 15 days of PAGA approval	Within 15 days of PAGA approval, BevMo will deliver the Aggrieved Employee Data to the Administrator in the form of a Microsoft Excel spreadsheet. Settlement, 4.2
14 days after the Effective Date	BevMo shall fully fund the Gross Settlement Amount by transmitting the funds to the Administrator no later than 14 days after the Effective Date. Settlement, 4.3
	"Effective Date" means the date on which the Judgment becomes final. "Judgment" means the judgment entered by the Court based upon the Approval Order. Settlement, 1.10, 1.14
Within 14 days after funding	Within 14 days after BevMo funds the Gross Settlement Amount, the Administrator will mail checks for all Individual PAGA Payments, the LWDA PAGA Payment, the Administration Expenses Payment, and the PAGA Counsel Litigation Expenses Payment. Settlement, 4.4
180 days after the date of mailing	The Administrator will issue checks for the Individual PAGA Payments and send them to the Aggrieved Employees via First Class U.S. Mail, postage prepaid. Settlement, 4.4.1
Within 7 days of receiving a returned check	Within 7 days of receiving a returned check, the Administrator must re-mail the check to the USPS forwarding address provided or to an address ascertained through the Address Search. Settlement, 4.4.2

After the void date (uncashed checks)	For any Aggrieved Employee whose Individual PAGA Payment check is uncashed and cancelled after the void date, the Administrator shall transmit the funds represented by such checks to the California Controller's Unclaimed Property Fund in the name of the Aggrieved Employee. Settlement, 4.4.3

Dated: November 3, 2026

Respectfully submitted,

/s/ Ori Edelstein
Carolyn H. Cottrell
Ori Edelstein
SCHNEIDER WALLACE
COTTRELL KIM LLP

Attorneys for Plaintiff, on behalf of the State of California and Aggrieved Employees