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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF LOS ANGELES**

15 MARCELO CORTINAS, individually, on behalf
16 of all others similarly situated, and on behalf of
17 the State of California and other aggrieved
18 persons,

19 *Plaintiff,*

20 v.

21 ROADEX CY, INC., a California corporation;
22 and DOES 1 through 10, inclusive,

23 *Defendants.*

Case No.: 24STCV12792

[Assigned for al purposes to: Hon. Elaine Lu,
Dept. 9]

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

PRELIMINARY APPROVAL HEARING

Date: March 24, 2026

Time: 10:00 a.m.

Dept.: 9

Action Filed: May 20, 2024

1 The Motion for Preliminary Approval of Class Action and PAGA Settlement. Having
2 reviewed the Motion for Preliminary Approval of Class Action and PAGA Settlement came
3 before this Court on March 24, 2026, at 10:00 a.m., in the Superior Court of California, County
4 of Los Angeles, Spring Street Courthouse, located at 312 North Spring Street, Los Angeles, CA
5 90012. The Court, having considered the Class Action and PAGA Settlement Agreement and
6 Class Notice entered into by and between Plaintiff Marcelo Cortinas (“Plaintiff”) and Defendant
7 RoadEx Cy, Inc. (“Defendant,” together with Plaintiff, the “Parties”), attached as **Exhibit 2** to
8 the Declaration of Arrash T. Fattahi in Support of Plaintiff’s Motion for Preliminary Approval
9 of Class Action and PAGA Settlement (hereinafter collectively, the “Settlement” or “Settlement
10 Agreement”); having considered the Motion for Preliminary Approval of Class Action and
11 PAGA Settlement; having considered the points and authorities and declarations submitted by
12 the Parties in support thereof; and good cause appearing, HEREBY ORDERS THE
13 FOLLOWING:

14 1. The Court finds on a preliminary basis that the Settlement Agreement appears to be
15 fair, adequate, and reasonable and therefore meets the requirements for preliminary approval. The
16 Court grants preliminary approval of the Settlement and the Settlement Class based upon the terms
17 set forth in the Settlement Agreement between the Parties, attached to the Declaration of Arrash T.
18 Fattahi in Support of Plaintiff’s Motion for Preliminary Approval of Class Action and PAGA
19 Settlement as **Exhibit 2**.

20 2. The Settlement falls within the range of reasonableness of a settlement which could
21 ultimately be given final approval by this Court, and appears to be presumptively valid, subject only
22 to any objections that may be raised at the Final Approval Hearing and final approval by this Court.
23 Defendant has agreed to pay \$212,500.00 to cover (a) Individual Class Payments to Participating
24 Class Members (class members who do not validly opt out); (b) Private Attorneys General Act
25 (“PAGA”) Penalties in the amount of \$10,000.00 with 65% (\$6,500.00) allocated to the California
26 Labor & Workforce Development Agency (“LWDA”) PAGA Payment and 35% (\$3,500.00)
27 allocated to the Individual PAGA Payments to be paid to Aggrieved Employees; (c) Class
28 Representative’s Service Payment of up to \$5,000.00; (d) Class Counsel Fees Payment not to exceed

one-third (1/3) of the Gross Settlement Amount (\$70,833.33) and Class Counsel Litigation Expenses Payment up to \$30,000.00 for actual litigation expenses incurred by Class Counsel; and (e) Administrator Expenses Payment not to exceed \$6,990.00.

3. The Court preliminarily finds that the terms of the Settlement appear to be within the range of possible approval, pursuant to California Code of Civil Procedure § 382 and applicable law. The Court finds on a preliminary basis that: (1) the Settlement amount is fair and reasonable to the class members when balanced against the probable outcome of further litigation relating to class certification, liability and damages issues, and potential appeals; (2) significant informal discovery, investigation, research, and litigation have been conducted such that counsel for the Parties at this time are able to reasonably evaluate their respective positions; (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented by the further prosecution of the litigation; and (4) the proposed Settlement has been reached as the result of intensive, serious, and non-collusive negotiations between the Parties with the assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds that the Settlement Agreement was entered into in good faith.

4. A final fairness hearing on the question of whether the proposed Settlement, attorneys' fees and costs to Class Counsel, payment to the LWDA and Aggrieved Employees for their share of the settlement of claims for penalties under the PAGA, and the Class Representative's Service Payment should be finally approved as fair, reasonable and adequate as to the members of the Class is hereby set in accordance with the Implementation Schedule set forth below.

5. The Court provisionally certifies for settlement purposes only the following class (the "Settlement Class"): "all persons employed by Roadex in California and classified as an hourly-paid non-exempt non-driver who worked for Roadex during the Class Period."

6. "Class Period" means the period from May 20, 2020 to August 29, 2025.

7. The Court finds, for settlement purposes only, that the Settlement Class meets the requirements for certification under California Code of Civil Procedure § 382 in that: (1) the Settlement Class Members are so numerous that joinder is impractical; (2) there are questions of law and fact that are common, or of general interest, to all Settlement Class Members, which predominate

over individual issues; (3) Plaintiff's claims are typical of the claims of the Settlement Class Members; (4) Plaintiff and Class Counsel will fairly and adequately protect the interests of the Settlement Class Members; and (5) a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

8. The Court appoints as Class Representative, for settlement purposes only, Plaintiff Marcelo Cortinas. The Court further preliminarily approves Plaintiff's ability to request Class Representative's Service Payment up to \$5,000.00.

9. The Court appoints, for settlement purposes only, Arrash T. Fattahi, Emily K. Borman, and Arman A. Salehi of Wilshire Law Firm, PLC as Class Counsel. The Court further preliminarily approves Class Counsel's ability to request attorneys' fees of up to one-third (1/3) of the Gross Settlement Amount (\$70,833.33), and costs not to exceed \$30,000.00.

10. The Court appoints Apex as the Settlement Administrator with reasonable administration costs estimated not to exceed \$6,990.00.

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

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

13. Any class member who does not timely and validly request exclusion from the Settlement may object to the Settlement Agreement.

14. The Court orders the following Implementation Schedule:

Event	Timing
Class Data: Last day for Defendant to provide Class Data to the Administrator	30 days after the Court grants Preliminary Approval of the Settlement
Notice: Last day for Administrator to mail the Notice to Class Members	14 days after receipt of the Class Data

Event	Timing
Response Deadline: Last day for Class Members to submit written objections, challenges to workweeks and/or pay periods, and requests for exclusion	45 days after Notice is mailed out by the Administrator (with an additional 14 days for Class Members whose Notice was remailed)
Last day to file Motion for Final Approval, Request for Attorneys' Fees and Costs, and Service Payment to Plaintiff	16 court days before the Final Approval Hearing
Final Approval Hearing	_____, 2026, at _____ a.m./p.m. in Dept. 9

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. ELAINE LU
JUDGE OF THE SUPERIOR COURT