

1 **JUSTICE FOR WORKERS, P.C.**
William C. Sung SB# 280792
2 E-Mail: william@justiceforworkers.com
Joseph C. Ramli SB# 339491
3 E-Mail: jramli@justiceforworkers.com
Guneez Ibrahim, SB# 367321
4 E-Mail: gibrahim@justiceforworkers.com
9575 Bolsa Ave
5 Westminster, CA 92683
Tel: 323-922-2000
6 Fax: 323-922-2000

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

MAY 06 2026

DAVID H. YAMASAKI, Clerk of the Court

BY: _____, DEPUTY

7
8
9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF ORANGE**
11

12 KATHERINE VERGARA POLANCO, an
13 individual and on behalf of all others similarly
situated;

14 Plaintiff,

15 vs.

16 ESCALETTE, LLC, a California corporation;
17 and DOES 1 through 50,

18 Defendants.
19

Case No.: 30-2024-01407947-CU-OE-CXC

[Assigned for All Purposes to:
Hon. William Claster, Dept. CX101]

(SECOND AMENDED PROPOSED)
ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT

Action Filed: June 18, 2024
Trial Date: Not Set

1 The Motion of Plaintiff Katherine Vergara Polanco (“Plaintiff”) for Preliminary Approval of
2 Class Action and PAGA Settlement came on regularly for hearing before this Court. This Court,
3 having considered the proposed Class Action and PAGA Settlement Agreement (the “Agreement”)
4 attached to the Declaration of William C. Sung filed and the Amendment to Class Action and
5 PAGA Settlement Agreement (the “Amendment”) attached to the Supplemental Declaration of
6 William C. Sung; having considered Plaintiff’s Motion for Preliminary Approval of Class Action
7 and PAGA Settlement, Memorandum of Points and Authorities in support thereof, and supporting
8 declarations filed therewith; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

9 1. The Court GRANTS preliminary approval of the class action and PAGA settlement
10 as set forth in the Settlement and finds its terms to be within the range of reasonableness of a
11 settlement that ultimately could be granted approval by the Court at a Final Approval Hearing. For
12 purposes of the Settlement, the Court finds that the proposed Class is ascertainable and that there is
13 a sufficiently well-defined community of interest among the members of the Class in questions of
14 law and fact. Therefore, for settlement purposes only, the Court grants conditional certification of
15 the following Class:

16 All current and former non-exempt employees who worked for Defendant Escalette
17 (“Defendant”) within the State of California during the Class Period of June 18,
2020 to November 24, 2025.

18 2. For purposes of the Settlement, the Court preliminarily designates named Plaintiff
19 Katherine Vergara Polanco as Class Representative and William C. Sung and Tiffany L. Luu of
20 Justice for Workers, P.C. as Class Counsel.

21 3. The Court preliminarily designates Apex Class Action, LLC as the third-party
22 Administrator for mailing notices.

23 4. The Court approves, as to form and content, the Class Notice attached as Exhibit A
24 to the Settlement.

25 5. The Court finds that the form of notice to the Class regarding the pendency of the
26 action and of the Settlement, and the methods of giving notice to Class Members, constitute the best
27 notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all of
28 the Class Members. The form and method of giving notice complies fully with the requirements of

1 California Code of Civil Procedure section 382, California Civil Code section 1781, California
2 Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other applicable
3 law.

4 6. The Court further approves the procedures for the Class Members to opt out of or
5 object to the Class Settlement, as set forth in the Class Notice.

6 7. The procedures and requirements for filing objections in connection with the Final
7 Approval Hearing are intended to ensure the efficient administration of justice and the orderly
8 presentation of any Class Member's objection to the Settlement in accordance with the due process
9 rights of all members of the Class.

10 8. The Court directs the Administrator to mail the Class Notice to Class Members in
11 accordance with the terms of the Settlement.

12 9. The Class Notice shall provide at least sixty (60) calendar days' notice for Class
13 Members to opt out of, or object to, the Class Settlement.

14 10. The Final Approval Hearing on the question of whether the Settlement should be
15 finally approved as fair, reasonable, and adequate is scheduled in Department CX101 of this Court,
16 located at Civil Complex Center, 751 West Santa Ana Blvd., Santa Ana, CA 92701 on October 16,
17 2026 at 9:00 a.m.

18 11. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement
19 should be finally approved as fair, reasonable, and adequate for the Class; (b) whether a judgment
20 granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application
21 for reasonable attorneys' fees, reimbursement of litigation expenses, service award to Plaintiff,
22 settlement administration costs, and payment to the Labor & Workforce Development Agency
23 ("LWDA") for penalties under the Labor Code Private Attorneys General Act should be granted.

24 12. Counsel for the parties shall file memoranda, declarations, or other statements and
25 materials in support of their request for final approval of the Settlement, attorneys' fees, litigation
26 expenses, Plaintiff's service award, payment to the LWDA, and settlement administration costs, no
27 later than 16 court days prior to the Final Approval Hearing.

28 ///

1 13. An implementation schedule is below:

2 Event	Date
3 Defendants to provide the 4 Administrator with the Class Data	Within 15 calendar days after entry of this Order
5 Administrator to mail the Class Notice	Within 14 calendar days after receiving the Class Data 6 from Defendants
7 Response Deadline for Class Members	Within 60 calendar days after the Administrator mails 8 the Class Notice (extended by 14 calendar days for any 9 re-mailed initial Class Notices)
10 Last Day to File a Motion for Final 11 Approval of Class Action and PAGA 12 Settlement	At least 16 court days before the Final Approval 13 Hearing:
14 Final Approval Hearing	October 16, 2026 at 9:00 a.m.

15 14. Pending the Final Approval Hearing, all proceedings in this Action, other than
16 proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this
17 Order, are stayed. The Court retains jurisdiction to enforce the Settlement pursuant to Code of Civil
18 Procedure § 664.6.

19 15. The Court orders the Parties and the Administrator to carry out their duties and
20 obligations in accordance with terms of the Agreement and this Order.

21 **IT IS SO ORDERED.**

22 DATED: 5 / 6, 2026

23 William D. Claster
24 Hon. William Claster
25 Judge of the Superior Court

PROOF OF SERVICE
KATHERINE VERGARA POLANCO v. ESCALETTE, LLC
STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 3600 Wilshire Blvd, Suite 1815, Los Angeles, CA 90010

On April 23, 2026 I served the foregoing document described as:

(SECOND AMENDED PROPOSED) ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT

☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail in the State of California addressed as set forth below:

☐ by placing a true copy thereof enclosed in a sealed envelope addressed as stated on the attached mailing list.

☒ by electronically serving the document(s) listed above to:

John T. Egley, Esq.

jegley@calljensen.com

Ellen Cohen, Esq.

ecohen@calljensen.com

Peter Choi, Esq.

pchoi@calljensen.com

Connie Valles

cvalles@calljensen.com

Julie Sandoval

jsandoval@calljensen.com

CALL & JENSEN

610 Newport Center Drive

Suite 700

Newport Beach, CA 92660

Attorneys for Defendant Escalette, LLC

☐ by having copies **personally delivered to the designed party(ies)**

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on the same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made

Executed on April 23, 2026 at Los Angeles, California.


Anayeli Ascencio