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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

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

Plaintiff,

vs.

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

Defendants.

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

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

**PLAINTIFF'S SUPPLEMENTAL BRIEF
IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

(Filed concurrently with Supplemental
Declaration of William C. Sung and
[Amended Proposed] Order)

DATE: April 24, 2026

TIME: 9:00 a.m.

DEPT: CX101

Reservation ID: Per March 27, 2026 Court
Order

Action Filed: June 18, 2024

Trial Date: Not Set

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

3 Plaintiff Katherine Vergara Polanco (“Plaintiff”) hereby submits the Supplemental Brief in
4 Support of Plaintiff’s Motion for Preliminary Approval of Class Action and PAGA Settlement
5 (“Preliminary Approval Motion”), which addresses each of the Court’s questions and comments in
6 its tentative ruling issued for the March 29, 2026 hearing on the Preliminary Approval Motion.

7 ***As to the Settlement:***

8 The executed Amendment to Class Action and PAGA Settlement Agreement (the
9 “Amendment”) is attached as **Exhibit 1** to the Supplemental Declaration of William C. Sung
10 (“Supp. Sung Decl.”). The revised Class Notice is attached as **Exhibit A** to the executed
11 Amendment. The redline Amendment showing all revisions in redline is attached as **Exhibit 2** to
12 Supp. Sung Decl. The redlined revised Class Notice is attached as **Exhibit A** to the redlined
13 Amendment.

14 1. *Please provide 60 days, rather than 45, for opt-outs, objections and workweek disputes.*

15 The Parties have entered into an Amendment to the Class Action and PAGA Settlement
16 Agreement to amend the opt-out, objection, and dispute deadlines from 45 days to 60 days. *See*
17 *Executed and Redlined Amendment*, §§ 1.43, 7.4.4, 7.5.1, 7.6, 7.7.2.

18 2. *Did counsel interview any class members other than Plaintiff?*

19 Class Counsel did not interview any other Class Members other than Plaintiff. Supp. Sung
20 Decl., ¶ 4.

21 3. *Counsel’s declaration mentions an expert. Whom? Please provide a CV.*

22 Attached as **Exhibit 3** is a true and correct copy of Accuratus Data Consulting’s CV. Supp.
23 Sung Decl., ¶ 5, Exh. 3.

24 4. *Does the UCL claim have any independent value, or does it simply extend the limitations*
25 *period?*

26 Plaintiff alleged the UCL claim simply to extend the statute of limitations and it doesn’t
27 have independent value. Supp. Sung Decl., ¶ 6.

28 ///

1 5. *Have Tiffany Luu or Joseph Ramli previously been appointed class counsel in their own*
2 *name (as opposed to working on a matter where their firm, or someone else at their firm, is*
3 *appointed counsel)?*

4 Tiffany Luu has been appointed as class counsel in her own name in all of the matters listed
5 in Paragraph 5 of the Declaration of William C. Sung (ROA 59), and Joseph Ramli has not been
6 appointed as class counsel in his own name. Supp. Sung Decl., ¶ 7.

7 6. *At final approval, please submit contemporaneously made billing records for attorney's fees*
8 *and costs. The Court will not be inclined to award an amount of fees and costs greater than the*
9 *amount stated in the notice.*

10 Class Counsel will comply with this procedure on final approval.

11 7. *At final approval, please submit billing records for administrative costs. The Court will not*
12 *be inclined to award administrative costs in an amount greater than the amount stated in the notice.*

13 Class Counsel will comply with this procedure on final approval.

14 8. *Because Plaintiff has provided a declaration in support of her requested service payment,*
15 *she need not provide one at final approval.*

16 Class Counsel will comply with this procedure on final approval.

17 9. *At final approval, the administrator is to provide a high, low, and average for individual*
18 *settlement payments, along with Plaintiff's individual payout.*

19 Class Counsel will comply with this procedure on final approval.

20 ***As to the Notice:***

21 1. *Please include opt-out and workweek dispute forms and make necessary corresponding*
22 *changes to the language of the notice.*

23 The Parties have added the opt-out and dispute forms as Exhibits 1 and 2 to the Class Notice
24 and updated the Class Notice throughout to reference these forms where applicable. See Revised
25 Class Notice and Redlined Class Notice, Exhs. 1-2.

26 2. *In section 2, please delete the description of the mediator as "experienced, neutral" and the*
27 *agreement as "lengthy." This is a Court-ordered notice, so the description could be interpreted as*
28 *the Court's endorsement.*

1 The Parties have made these revisions in the Class Notice. *See* Revised Class Notice and
2 Redlined Class Notice, § 2.

3 3. *Please update all mentions of the GSA to track the adjusted amount rather than the original*
4 *amount.*

5 The Parties have made these revisions in the Class Notice and revised the amount of
6 requested fees from 35% of the original Gross Settlement Amount to 33 1/3% of the adjusted Gross
7 Settlement Amount to conform with the fee percentage requested in the Motion. *See* Revised Class
8 Notice and Redlined Class Notice, §§ 3.1, 3.2.

9 4. *Does notice need to be given in any languages other than English and Spanish?*

10 Defendant has confirmed that notice does not need to be given in any languages other than
11 English and Spanish. Supp. Sung Decl., ¶ 8, **Exh. 4** – Declaration of Geoff Escalette, ¶ 2.

12 5. *If any changes are made to the sFiliettlement agreement, please make corresponding*
13 *changes to the notice.*

14 Since only changes to the Agreement was to modify the opt-out, dispute, and objection
15 deadlines 45 days to 60 days, no corresponding changes were made to the Class Notice as it does
16 not reference 45 days in the first instance. Instead, the Administrator will insert actual dates for the
17 deadlines into the Class Notice. Supp. Sung Decl., ¶ 9.

18 However, Plaintiff is submitting an Amended Proposed Order Granting Preliminary
19 Approval of Class Action and PAGA Settlement (“Amended Proposed Order”) concurrent with this
20 filing. The Amended Proposed Order is revised to correspond to changes made to the Settlement.
21 Supp. Sung Decl., ¶ 10, **Exh. 5** – Redlined Amended Proposed Order.

22 6. *The font size in the actual notice may not be smaller than the font size in the proposed notice*
23 *provided to the Court.*

24 Class Counsel will comply with this procedure and advise the Administrator.

25 On April 13, 2026, Plaintiff’s counsel served the LWDA with a copy of the fully executed
26 Amendment, including the revised Class Notice; the Supplemental Declaration of William C. Sung,
27 the Amended Proposed Order Granting Motion for Preliminary Approval; and the Court’s March
28 29, 2026 tentative ruling via file upload through the LWDA’s website: <https://dir.govfa.net/432>

1 (Proposed Settlement of PAGA Case). Sung Decl., ¶ 11, **Exh. 6** – LWDA Filing Confirmation.

2
3 DATED: April 13, 2026

Respectfully submitted,

4 **JUSTICE FOR WORKERS, P.C.**

5
6 By: 

7 William C. Sung

8 Tiffany L. Luu

9 Joseph C. Ramli

Attorneys for Plaintiff Katherine Vergara Polanco