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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]

**(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 concurrently herein; having considered
5 Plaintiff’s Motion for Preliminary Approval of Class Action and PAGA Settlement, Memorandum
6 of Points and Authorities in support thereof, and supporting declarations filed therewith; and good
7 cause appearing, HEREBY ORDERS THE FOLLOWING:

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

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

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

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

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

24 5. The Court finds that the form of notice to the Class regarding the pendency of the
25 action and of the Settlement, and the methods of giving notice to Class Members, constitute the best
26 notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all of
27 the Class Members. The form and method of giving notice complies fully with the requirements of
28 California Code of Civil Procedure section 382, California Civil Code section 1781, California

1 Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other applicable
2 law.

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

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

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

11 9. The Class Notice shall provide at least forty-five (45) calendar days' notice for Class
12 Members to opt out of, or object to, the Class Settlement.

13 10. The Final Approval Hearing on the question of whether the Settlement should be
14 finally approved as fair, reasonable, and adequate is scheduled in Department CX101 of this Court,
15 located at Civil Complex Center, 751 West Santa Ana Blvd., Santa Ana, CA 92701 on September
16 18, 2026 at 9:00 a.m.

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

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

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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 45 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	September 18, 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: _____, 2026

Hon. William Claster
Judge of the Superior Court