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all others similarly situated, and on behalf of the general public

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ORANGE

MATTHEW BAUMANN on behalf of
all others similarly situated, and on
behalf of the general public,

Plaintiffs,

v.

ATP INVESTMENT COMPANY, LLC
DBA AUDI FLETCHER JONES; and
DOES 1-100,

Defendants.

Case No. 30-2024-01427099-CU-OE-CXC

*[Assigned for all purposes to the Honorable
William Claster, Dept. CX101]*

**PLAINTIFF MATTHEW BAUMANN'S
SUPPLEMENTAL BRIEF IN SUPPORT OF
HIS MOTION FOR APPROVAL OF PAGA
SETTLEMENT**

Date: January 16, 2026

Time: 9:00 a.m.

Reservation No.: 74707309

Complaint Filed: September 23, 2024

Trial Date: None Set

1 Plaintiff Matthew Baumann (hereinafter “Plaintiff”) hereby submits this supplemental
2 brief in support of his Motion for Approval of PAGA Settlement.

3 **I. INTRODUCTION**

4 On December 11, 2025, the Court issued a tentative ruling on Plaintiff’s Motion for
5 Approval of PAGA Settlement and asked for revisions to be made to the settlement documents
6 and for additional information. As outlined below, the Parties have made all of the revisions
7 requested by the Court and have provided the Court with the additional information requested. As
8 such, Plaintiff respectfully requests that the Court grant his Motion for Approval of PAGA
9 Settlement.

10 **II. DISCUSSION**

11 **a. The “Released Claims” Definition Has Been Revised**

12 The Court asked the Parties to make changes regarding the definition of “Released
13 Claims” in the settlement agreement. The Court requested that the Parties ensure the definition of
14 “Released Claims” are limited to claims for civil penalties under the PAGA. The Parties have
15 made this change. The definition of “Released Claims” now reads:

16
17 **Released Claims:** Each PAGA Aggrieved Employee shall fully release and
18 discharge Defendant and the Released Parties from any and all claims for civil
19 penalties under the Private Attorneys General Act of 2004 (“PAGA”) that were
20 alleged or could have been alleged based on the claims, facts, and/or allegations
21 contained in operative Complaint and in the PAGA Notice submitted by Plaintiff
22 to the LDWA. The release shall be for the PAGA Period.

23 (See Exhibits 1 and 2 attached to the Declaration of Jill Vecchi, Esq.). In addition, the Parties have
24 updated the Notice of Settlement to be mailed with settlement checks and Proposed Order to
25 conform with this change. (See Exhibits 3 and 4 attached to the Declaration of Jill Vecchi, Esq.).

26 **b. Non-Record Claims**

27 In its tentative ruling, the Court inquired whether Plaintiff’s Counsel interviewed anyone
28 other than Plaintiff to investigate the non-record claims. Plaintiff was employed by Defendant
from approximately March 28, 2018, to approximately September 4, 2020, and again from

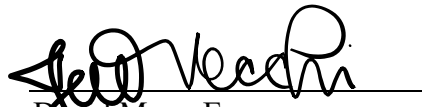
1 approximately November 1, 2021, to approximately August 16, 2024. Plaintiff was a current
2 employee when he decided to pursue these claims against Defendant and when the PAGA letter
3 was uploaded. After Plaintiff's employment, Plaintiff remained in contact with other class
4 members. This allowed Plaintiff's Counsel to gain information about the non-record claims from
5 Plaintiff himself until the end of his employment with Defendant and, even after his employment
6 ended, Plaintiff was able to provide information to his Counsel about these claims due to his close
7 connections with other class members. As such, although Plaintiff's Counsel did not themselves
8 speak with other class members about the non-record claims, they were able to gather ample
9 information about other class members through Plaintiff and his connections with other class
10 members regarding the non-record claims.

11 **III. CONCLUSION**

12 Based on the foregoing, as well as the arguments discussed in Plaintiff's Motion for
13 Approval of PAGA Settlement, Plaintiff respectfully requests that the Court grant approval of the
14 Parties' settlement.

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16 Dated: January 6, 2026

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David Mara, Esq.

Jill Vecchi, Esq.

19 Representing Plaintiff MATTHEW BAUMANN on
20 behalf of all others similarly situated, and on behalf
21 of the general public.
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