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Attorneys for Plaintiff Angel Cuellar

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN JOAQUIN

ANGEL CUELLAR, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

NEW BERN TRANSPORT
CORPORATION, a Delaware Corporation;
PEPSI-COLA SALES AND
DISTRIBUTION, INC., a Delaware
Corporation; PEPSICO, INC., a North
Carolina Corporation; and Does 1-10,
Inclusive,

Defendants.

Case No. STK-CV-UOE-2024-0008803
ASSIGNED FOR ALL PURPOSES TO:
The Honorable Robert T. Waters
Department 11B

CLASS ACTION

**NOTICE OF MOTION AND PLAINTIFF'S
MOTION FOR FINAL APPROVAL OF
CLASS AND REPRESENTATIVE ACTION
SETTLEMENT**

Final Approval Hearing:

Date: September 17, 2026

Time: 9:00 a.m.

Dept.: 11B

Complaint filed: July 25, 2024

Trial Date: Not set

TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:
PLEASE TAKE NOTICE, that on September 17, 2026, at 9:00 a.m. in Department 11B of the San Joaquin Superior Court, located at located at 180 East Weber Avenue, Stockton, California 95202, the Honorable Robert T. Waters presiding, Plaintiff Angel Cuellar on behalf of himself and all hourly-paid, nonexempt drivers employed by New Bern Transport Corporation in California at any time during July 25, 2020, and ending on December 3, 2025, excluding any weeks covered by the settlement in *Stevens v. PepsiCo, Inc. et al.*, Case No. 22-cv-00802 (S.D.N.Y), will respectfully move the Court for an order granting Plaintiff's Motion for Final Approval of Class and Representative Action Settlement.

This motion is made on the ground that the parties have reached a class and representative action settlement and are seeking the Court's final approval of the class and representative settlement, and its terms as provided in the California Rules of Court rule 3.769, approval of attorneys' fees and costs and Plaintiff's service award. This motion is based on this notice, the accompanying Memorandum of Points and Authorities, declarations of Isam C. Khoury, Emil Davtyan and David Mara, Plaintiff Angel Cuellar, Madely Nava on behalf of APEX Class Action Administration, a [Proposed] Final Judgment and Order, and all other pleadings and papers on file in the above-captioned action, and on such oral and documentary evidence and argument as may be presented at the time of hearing.

Respectfully submitted,

COHELAN KHOURY & SINGER
D.LAW, INC.
MARA LAW FIRM, PC

Dated: August 24, 2026

By: 
Maggie K. Realin
Attorneys for Plaintiff Angel Cuellar, on
behalf of himself and all others similarly situated