

Kevin A. Lipeles (Bar No. 244275)
kevin@kallaw.com
Thomas H. Schelly (Bar No. 217285)
thomas@kallaw.com
LIPELES LAW GROUP, APC
1060 Aviation Blvd., Suite 100
Hermosa Beach, CA 90254
Telephone: (310) 322-2211
Facsimile: (310) 322-2252

Attorneys for Plaintiffs
AARON CLAYTON WILSON and
NATHANIEL GARCIA CLAUDIO

ERIN R. EZRA (SBN 275780)
eezra@bergerkahn.com
TUCKER Y. PHILLIPS (SBN 338227)
tphillips@bergerkahn.com
BERGER KAHN, A Law Corporation
1 Spectrum Pointe Drive, Suite 340
Lake Forest, California 92630
Tel: (949) 614-0100
Fax: (949) 771-1922

Attorneys for Defendant PATH

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES

AARON CLAYTON WILSON AND
NATHANIEL GARCIA CLAUDIO,
individually, and on their own behalf and
on behalf of all others similarly situated,

Plaintiffs,

vs.

PEOPLE ASSISTING THE HOMELESS,
a California non-profit corporation; and
DOES 1 through 100, inclusive,

Defendants.

CASE NO. 24STCV17152

**JOINT SUPPLEMENTAL BRIEF IN
SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL**

[Filed concurrently with the
Supplemental Declaration of Kevin
Lipeles]

Judge: Hon. Elaine Lu

Date: May 5, 2026

Time: 8:30 A.M.

Dept.: 9

Complaint Filed: July 10, 2024

1 **I. INTRODUCTION**

2 Plaintiffs Aaron Clayton Wilson and Nathaniel Garcia Claudio (collectively
3 “Plaintiffs”), on behalf of themselves and the putative Class, and Defendant PATH
4 (“Defendant” or “PATH”) respectfully submit the following supplemental brief pursuant to
5 the Court’s Tentative Ruling posted on April 24, 2026 (“Tentative Ruling”), requesting the
6 same. The parties have amended the Class Action and PAGA Settlement Agreement
7 (“Amended Settlement Agreement”) to conform to the changes required by the Tentative
8 Ruling and they are attached to the Supplemental Declaration of Kevin Lipeles In Support
9 of Preliminary Approval (“Supp. Lipeles Decl.”), as Exhibit A (final version of Settlement
10 Agreement) and Exhibit B (red-lined version of Settlement Agreement). *See* Supplemental
11 Lipeles Decl., ¶¶ 3-4. Accordingly, Plaintiffs request that the Court grant preliminary
12 approval of the proposed Settlement, approve the proposed notice plan, and schedule a final
13 approval hearing.

14 The Parties address below verbatim the points raised in the Court’s Tentative Ruling.

15 **II. DISCUSSION**

16 **A. Distribution of Gross Settlement Amount**

17 The Parties have revised paragraph 36 of the Settlement Agreement to include the
18 following: “Disbursement of the attorneys’ fees and costs, and the Enhancement Payments
19 shall not precede disbursement of the Individual Settlement Payments, Individual PAGA
20 Payments and the LWDA Payment.” Amended Settlement Agreement, ¶36; *see also*
21 Supplemental Lipeles Decl., ¶ 6.

22 **B. Correction of Error in the Settlement Agreement**

23 The Parties have corrected the Settlement Agreement to read as follows: The
24 Response Deadline “is sixty (60) calendar days from the initial mailing of the Class Notice
25 by the Settlement Administrator to Class Members, unless the 60th day falls on a Sunday or
26 Federal Holiday, in which case the Response Deadline will be extended to the next day on
27 which the United States Postal service is open.” Amended Settlement Agreement, ¶ 9kk;
28

1 *see also* Supplemental Lipeles Decl., ¶ 7.

2 **C. Settlement Checks**

3 The Parties have revised the Settlement Agreement to omit the language that “[t]he
4 Parties agree that this disposition results in no “unpaid residue” under California Civil
5 Procedure Code § 384, as the entire Net Settlement Amount will be paid out to Settlement
6 Class Members, whether or not they cash their settlement checks.” Amended Settlement
7 Agreement, ¶ 37; *see also* Supplemental Lipeles Decl., ¶ 8.

8 **D. Class Notice**

9 The Parties did not revise the Supplemental Class Notice since the alterations to the
10 Settlement Agreement did not affect the Supplemental Class Notice.

11 **III. CONCLUSION**

12 For the reasons discussed above, the Parties request that the Court enter an order of
13 preliminary approval of the class action settlement, approve the form of the proposed
14 notice, and approve the proposed schedule, including setting a date for a final approval
15 hearing.

16
17 DATED: April 28, 2026

Respectfully submitted,

LIPELES LAW GROUP, APC

18 By KL
19 Kevin Lipeles
20 Attorneys for Plaintiff and the Class

21 DATED: April 28, 2026

BERGER KAHN
22 By TP
23 Erin R. Ezra
24 Tucker Y. Phillips
25 Attorneys for Defendant PATH
26
27
28