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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF STANISLAUS

GABRIEL MORIN, RAFAEL RODRIGUEZ, DANIEL COLOMA, and ZOEI HUTCHERSON, individually, and on behalf of all others similarly situated, and the State of California under the Private Attorneys General Act,

Plaintiffs,

v.

AMERICOLD LOGISTICS, LLC, a limited liability company; and DOES 1 through 10, inclusive,

Defendants.

Case No.: CV-25-006362

CLASS AND REPRESENTATIVE ACTION

[*Assigned for all purposes to: Hon. John R. Mayne, Dept. 21*]

NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS AND REPRESENTATIVE ACTION SETTLEMENT

Hearing Information:
Date: January 6, 2027
Time: 8:30 a.m.
Dept: 21

Complaint filed: July 1, 2025
FAC filed: July 16, 2026
Trial Date: None Set

Additional Plaintiffs' Counsel:

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TO THE COURT AND DEFENDANT AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on January 6, 2027, at 8:30 a.m. in Department 21 of the Stanislaus Superior Court located at 800 11th St., Modesto, CA 95354, Plaintiffs Gabriel Morin, Rafael Rodriguez, Daniel Coloma, and Zoei Hutcherson (Collectively, "Plaintiffs"), on behalf of themselves, and other similarly situated employees of Defendant Americold Logistics, LLC ("Defendant") (collectively with Plaintiffs, "the Parties"), will and hereby does move this Court pursuant to California Code of Civil Procedure § 382 and California Rule of Court 3.769 for an order as proposed:

1. Preliminarily approving the proposed class-wide settlement of this action as set forth in the Class Action and PAGA Settlement Agreement ("Settlement Agreement"), which is attached as Exhibit 1 to the Declaration of Enoch J. Kim ("Kim Decl."), filed herewith;

2. Approving the form and method for providing notice to the Class Members and approving the form and content of the Parties' proposed Notice of Class Action Settlement and Hearing Date for Final Court Approval ("Class Notice") for sending to the Class Members (provided at Exhibit A to the Settlement Agreement);

3. Appointing Plaintiffs Gabriel Morin, Rafael Rodriguez, Daniel Coloma, and Zoei Hutcherson as Class Representatives for settlement purposes only;

4. Appointing D.Law, Inc. and Wilshire Law Firm as Class Counsel for settlement purposes only.

5. Scheduling a Final Approval hearing date to consider the Parties' request for Final Approval of the proposed Settlement and Plaintiffs' application for Attorneys' Fees and Costs Awards to Class Counsel for attorneys' fees and reasonable expenses incurred in connection with this Action, and the Class Representative Service Payments to Plaintiffs for their service in this Action.

This Motion is made on the grounds that after good-faith, arm's length negotiations, the Parties have agreed upon a Settlement which is fair, reasonable, and adequate and in the best interests of the Class and all Parties. Defendant does not oppose the Motion. This Notice of Motion and Motion is also based on the fact that this Settlement was the product of informed,

non-collusive negotiations by the Parties, who were represented by experienced and able counsel. *See Dunk v. Ford Motor Co.* (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation (Second) (1985) § 30.44. The proposed settlement meets the legal standard for preliminary approval and is in the best interests of the Class; the proposed form of Class Notice explains the Settlement terms in a clear and straightforward manner; the proposed procedures for notice provide the best practical notice to the Class; and Class Members will have an opportunity to participate in and/or object to the settlement and/or opt-out of the settlement.

This Motion is based upon this Notice of Motion, the accompanying Memorandum of Points and Authorities, the Declarations of Enoch J. Kim, Nicol E. Hajjar, Gabriel Morin, Rafael Rodriguez, Daniel Coloma, and Zoei Hutcherson, and Michael Sutherland of APEX Class Action, LLC, the [Proposed] Order, the Parties' Settlement Agreement and Class Notice, the Court's record of this action, all matters of which the Court may take notice, and upon such oral or documentary evidence as the Court may receive at or before the hearing on this unopposed Motion.

Dated: November 9, 2026

D.LAW, INC.

By _____

Enoch J. Kim, Esq.
Matthew Carraher, Esq.
Attorneys for Plaintiffs and Settlement Class