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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

JOSE CARRANZA RODRIGUEZ, as an
individual and on behalf of all others
similarly situated,

Plaintiff,

vs.

EKEDAL CONCRETE, INC., a California
corporation; and DOES 1 through 100,

Defendants.

Case No.: 30-2024-01423908-CU-OE-CXC

*[Assigned for all purposes to the Hon. David A.
Hoffer, Dept. CX103]*

**PLAINTIFF'S SUPPLEMENTAL BRIEF IN
SUPPORT OF PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Date: October 12, 2026
Time: 1:30 p.m.
Dept.: CX103

Complaint Filed: September 6, 2024
Trial Date: None Set

1 **TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:**

2 Plaintiff Jose Carranza Rodriguez (“Plaintiff”) hereby submits the following supplemental
3 brief in response to the Court’s May 4, 2026 Tentative Ruling regarding Plaintiff’s Motion for
4 Preliminary Approval of Class Action Settlement (the “Ruling”). After reviewing the Court’s
5 Ruling, Plaintiff and Defendant Ekedal Concrete, Inc. (“Defendant”) (Plaintiff and Defendant are
6 collectively referred to as the “Parties”) amended the Stipulation of Settlement (“Settlement
7 Agreement”) and the Notice of Pendency of Class and PAGA Action and Proposed Settlement
8 (“Class Notice”) in accordance with the issues identified by the Court.

9 Plaintiff addresses each issue raised in the Court’s Ruling. The Amendment to Stipulation
10 of Settlement is attached as Exhibit A to the Declaration of Sean M. Blakely (“Blakely Decl.”),
11 filed concurrently herewith. The amended Class Notice is attached as Exhibit B, a red-lined
12 version of the Class Notice showing all changes is attached as Exhibit C to the Blakely Decl. A
13 red-lined version of the [Amended Proposed] Order is attached to the Blakely Decl. as Exhibit D.

14 **As to the Settlement**

15 **1. Individual Settlement**

16 The Court’s Ruling states, “*Plaintiff should provide the named plaintiff’s anticipated total*
17 *amount to be received (including for any individual claims and excluding any enhancement*
18 *payment).*”

19 Plaintiff’s Individual Settlement Award is estimated to be approximately \$2,896.19.
20 Plaintiff’s Individual PAGA Payment is estimated to be approximately \$4.22. Plaintiff also
21 separately resolved individual wrongful termination claims and other claims alleged under the
22 California Fair Employment and Housing Act (“FEHA”) against Defendant in the matter entitled
23 *Jose Carranza Rodriguez v. Ekedal Concrete, Inc.*, Orange County Superior Court Case No. 30-
24 2024-01424360-CU-WT-CJC. Blakely Decl. ¶ 7. Plaintiff settled his individual claims for a total
25 of Fifty Thousand Dollars (\$50,000.00), of which Plaintiff received a total of \$32,481.38. *Id.*
26 Plaintiff’s individual case was dismissed with prejudice on December 18, 2025. *Id.*

27 **2. Released Parties**

28 The Court’s Ruling states, “*The "Released Parties" provision is overbroad. ¶ 2. It includes*

1 *unrelated, unidentified and/or ambiguous third parties such as “affiliates,” “representatives,*
2 *attorneys, insurers, [and] reinsurers.”*

3 The Parties revised paragraph 2.A of the Settlement Agreement to define “Released
4 Parties” as follows: Released Parties means “Defendant, and all of its present and former officers,
5 directors, owners, employees, shareholders, parent companies, subsidiaries, predecessors, and
6 successors.” Blakely Decl., ¶ 4, Exhibit A.

7 **3. Class Released Claims**

8 The Court’s Ruling states, *“The “Class Released Claims” provision is overbroad. ¶ 2.A.*
9 *The phrase “causes of action, transactions, or occurrences, and legal theories” should be*
10 *removed.”*

11 The Parties revised paragraph 2.A of the Settlement Agreement to remove the phrase
12 “causes of action, transactions, or occurrences, and legal theories.” Blakely Decl., ¶ 4, Exhibit A.

13 **4. PAGA Released Claims**

14 The Court’s Ruling states, *“The “PAGA Released Claims” provision is vague and/or*
15 *overbroad. ¶ 2.B. The term “disclosed” should be replaced by “alleged.””*

16 The Parties revised paragraph 2.B of the Settlement Agreement to replace the term
17 “disclosed” with “alleged.” Blakely Decl., ¶ 4, Exhibit A.

18 **5. Shortening the Class Period**

19 The Court’s Ruling states, *“Option (b) in paragraph 3.E of the settlement agreement*
20 *should be removed. The court will not approve a settlement that permits the defendant to shorten*
21 *the Class Period.”*

22 The Parties revised paragraph 3.E of the Settlement Agreement to remove the option of
23 shortening the Class Period. Blakely Decl., at ¶ 4, Exhibit A.

24 **6. Related and/or Overlapping Actions**

25 The Court’s Ruling states, *“The parties should state in declarations filed with the court,*
26 *whether, after making reasonable inquiry, they are aware of any class, representative or other*
27 *collective action in any court that asserts claims similar to those asserted in this action. If any*
28 *such actions are known to exist, the declaration(s) shall also state the name and case number of*

1 *any such case and the procedural status of that case, and describe the impact of the settlement on*
2 *that case.”*

3 Plaintiff is aware of a later-filed wage and hour class action complaint filed against
4 Defendant in the matter entitled *Carlos Moran v. Ekedal Concrete, Inc.*, Orange County Superior
5 Court Case No. 30-2025-01499715-CU-OE-CXC. *See* Blakely Decl., at ¶ 9. This matter was
6 dismissed on June 16, 2026. *Id.*

7 **7. Attorneys’ Fees**

8 The Court’s Ruling states, “*Plaintiff’s counsel seeks attorneys’ fees totaling 1/3 of the*
9 *gross settlement amount. While the court will not determine the amount of attorneys’ fees to be*
10 *awarded until the final approval hearing, absent unique circumstances, the court is unlikely to*
11 *approve an attorneys’ fees award that exceeds 30% of the gross settlement amount. At final*
12 *approval, plaintiff’s counsel should reduce the attorneys’ fees or address whether any such*
13 *unique circumstances exist here.”*

14 Plaintiff’s counsel understands the Court’s position.

15 **As to the Notice**

16 **8. Revisions to the Class Notice**

17 The Court’s Ruling states, “*The notice should be revised consistent with the above.”*

18 The Parties have revised the Class Notice in accordance with the issues addressed above.
19 *See* Blakely Decl. at ¶ 5, Exhibits B and C.

20 **9. Proposed Status for Class Representative and Class Counsel**

21 The Court’s Ruling states, “*The references to “Class Representative” and “Class*
22 *Counsel” should indicate for both the status as “proposed.” At 1, 2.”*

23 The Parties have revised the Class Notice in accordance with the issues addressed above.
24 *See* Blakely Decl. at ¶ 5, Exhibits B and C.

25 **10. Clerk’s Office Location**

26 The Court’s Ruling states, “*There is no “Office of the Clerk of the Orange County*
27 *Superior Court, located at 751 West Santa Ana Boulevard, Santa Ana, 92701.” At 6.”*

28 The Parties have revised the Class Notice to remove the reference to the Clerk’s Office.

See Blakely Decl. at ¶ 5, Exhibits B and C.

11. Settlement Administrator Case Webpage

The Court’s Ruling states, “*The administrator should post case documents on the case webpage. At 6.*”

The Parties have revised the Class Notice to include the following language: “The Settlement Administrator’s website will also post key documents from the case, including the operative complaint, the Settlement Agreement and any amendments thereto, the Class Notice, and the Order Granting Preliminary Approval of Class and PAGA Action Settlement.” See Blakely Decl. at ¶ 5, Exhibits B and C.

As to the Proposed Order

12. Revisions to Proposed Order

The Court’s Ruling states, “*The proposed order should be revised consistent with the above.*”

The [Amended Proposed] Order was revised to be consistent with the Court’s Ruling. See Blakely Decl. ¶ 6, Exhibit D.

13. Attorney Information in Caption

The Court’s Ruling states, “*Remove the attorney information from the caption page.*”

The [Amended Proposed] Order was revised to remove the attorney information from the caption page. See Blakely Decl. ¶ 6, Exhibit D.

14. Document Title and Footer

The Court’s Ruling states, “*The document title, footer, and throughout the document should reflect “Class and PAGA Action Settlement.”*”

The [Amended Proposed] Order was revised to reflect “Class and PAGA Action Settlement” in the document title, footer, and throughout the document. See Blakely Decl. ¶ 6, Exhibit D.

15. Settlement and Amendments as Exhibits

The Court’s Ruling states, “*The settlement and any amendment(s) should be identified attached as exhibit(s). ¶ 1.*”

The [Amended Proposed] Order attaches the initial Settlement Agreement and the Amendment to the Settlement Agreement as Exhibits. *See* Blakely Decl. ¶ 6, Exhibit D.

16. Erroneous Underscore

The Court’s Ruling states, “*There is an erroneous underscore in paragraph 2.*”

The [Amended Proposed] Order was revised to remove the erroneous underscore in paragraph 2. *See* Blakely Decl. ¶ 6, Exhibit D.

17. Spanish-Language Notice Packet

The Court’s Ruling states, “*The certified Spanish translation of the notice packet should also be identified and attached as an exhibit.*”

Plaintiff intends to submit an amended proposed Order with the certified Spanish translations of the Notice Packet once the Court has approved the language of the Notice Packet. Plaintiff’s counsel’s only intent in taking this approach is to avoid any unnecessary translation costs to the Settlement Class members. *See* Blakely Decl. ¶ 6.

18. Gross Settlement Amount and Proposed Disbursements

The Court’s Ruling states, “*Include the GSA and all proposed disbursements.*”

The [Amended Proposed] Order was revised to include the Gross Settlement Amount and all proposed disbursements. *See* Blakely Decl. ¶ 6, Exhibit D.

19. Final Approval Filing Deadline

The Court’s Ruling states, “*Final approval papers shall be due no later than 16 days prior to the hearing.* ¶ 12.”

The [Amended Proposed] Order was revised to provide that final approval papers shall be due no later than 16 days prior to the hearing. *See* Blakely Decl. ¶ 6, Exhibit D.

20. Proposed Date for Final Approval

The Court’s Ruling states, “*Propose a date for the final approval hearing.*”

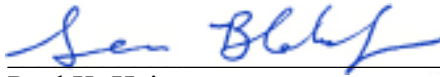
The Parties propose March 4, 2027 for the final approval hearing. *See* Blakely Decl. ¶ 6, Exhibit D.

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2 Dated: September 29, 2026

Respectfully submitted,
HAINES LAW GROUP, APC

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4 By: 
5 Paul K. Haines
6 Sean M. Blakely
7 Attorneys for Plaintiff
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