

FILED
Superior Court of California
County of Los Angeles

12/16/2025

David W. Slayton, Executive Officer / Clerk of Court

By: T. Lewis Deputy

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on behalf of himself and all others similarly situated

8 *[Additional Counsel Listed on Next Page]*
9

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF LOS ANGELES**

12 JEREMIAH CLAIBORNE, PABLO CAMPOS
13 HERNANDEZ and MARCOS RODRIGUEZ
and VICTOR AVALOS on behalf of themselves
14 and all others similarly situated,

15 Plaintiffs,

16 vs.

17 PERFORMANCE TRANSPORTATION, LLC,
a California limited liability company;
18 PERFORMANCE FOOD GROUP, INC., a
Colorado corporation; and DOES 1 through 50,
19 inclusive,

20 Defendants.

Case No. 22STCV31766
ASSIGNED FOR ALL PURPOSES TO:
JUDGE: Hon. David S. Cunningham III
DEPT: S11

**~~[PROPOSED]~~ ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

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Attorneys for Plaintiff MARCOS RODRIGUEZ

1 WHEREAS, this action is pending before this Court as a putative class and PAGA action (the
2 “Action”); and

3 WHEREAS, Plaintiffs, through an unopposed motion for preliminary approval, have applied
4 to this Court for an order preliminarily approving the settlement of the Action in accordance with the
5 Joint Stipulation For Settlement and Release of Class Action and PAGA Representative Action
6 Claims (hereinafter “Settlement Agreement”), and any exhibit annexed thereto, which sets forth the
7 terms and conditions for a proposed settlement and final resolution of the Action upon the terms and
8 conditions set forth therein; and the Court having read and considered the Settlement Agreement and
9 the exhibit annexed thereto;

10 NOW, THEREFORE, IT IS HEREBY ORDERED:

11 **1.** This Order incorporates by reference the definitions in the final version of the
12 Settlement Agreement which has been filed with the Court and all terms defined therein shall have
13 the same meaning in this Order as set forth in the Settlement Agreement;

14 **2.** The Court hereby conditionally certifies the Class for settlement purposes only. For
15 the purposes of this settlement, the Settlement Class is defined as: all current and former non-
16 exempt, hourly-paid employees (including but not limited to hourly and component-pay truck
17 drivers) who performed work for Performance Transportation, LLC (“PTL”) in California at any
18 time from September 1, 2018 through March 18, 2024. Should for whatever reason the Settlement
19 not become final, the fact that the Parties were willing to stipulate to class certification as part of the
20 Settlement shall have no bearing on, nor be admissible in connection with, the issue of whether a
21 class should be certified in a non-settlement context;

22 **3.** The Court hereby authorizes the retention of ILYM Group, Inc. as Settlement
23 Administrator for the purpose of this Settlement;

24 **4.** The Court hereby conditionally finds that James Hawkins, Isandra Fernandez, and
25 Lance Dacre from the law firm of James Hawkins, APLC; Ruben Escobedo from the law firm of
26 Workworld Law Corp, Shani O. Zakay from the law firm of Zakay Law Group, APLC and Jean-
27 Claude Lapuyade from the law firm of JCL Law Firm, APC may act as counsel for the Class.

28 **5.** The Court further conditionally finds that Plaintiffs Jeremiah Claiborne, Pablo

Campos Hernandez, Marcos Rodriguez and Victor Avalos may act as the class representative for the Class;

6. The Court hereby preliminarily APPROVES the proposed Class Notice. The Court further finds that the Notice of Class Action Settlement (“Class Notice”) appears to fully and accurately inform the Class Members of all material elements of the proposed Settlement Agreement, of the Class Members’ right to be excluded from the Class, and of each Class Member’s right and opportunity to object to the Settlement. The Class Notice shall be mailed to the Class Members as set forth in the Settlement Agreement;

7. The Court finds on a preliminary basis that the Settlement Agreement appears to be within the range of reasonableness of a settlement that could ultimately be given final approval by this Court. It appears to the Court on a preliminary basis that the settlement amount is fair, adequate and reasonable as to all potential Class Members when balanced against the probable outcome of further litigation relating to liability and damages issues. It further appears that investigation and research have been conducted such that counsel for the Parties, at this time, are able to reasonably evaluate their respective positions. It further appears to the Court that settlement at this time will avoid substantial additional costs by all Parties, as well as avoid the delay and risks that would be presented by the further prosecution of the Action. It further appears that the Settlement has been reached as the result of serious and non-collusive, arms-length negotiations;

8. The Court orders the following implementation schedule for further proceedings:

Preliminary approval order	December 10, 2025
Deadline for Defendants to provide the Class List to the Settlement Administrator.	January 5, 2026 (within twenty- five (25) calendar days after Court enters an Order granting Preliminary Approval of the Settlement).
Mail notices to Settlement Class Members.	January 12, 2026 (within seven (7) calendar days after Settlement Administrator Receives Class List from Defendant).

Deadline for postmark by registered mail of any Request for Exclusion.	February 26, 2026 (forty- five (45) days after Settlement Administrator first mails Notice of Class Settlement to Settlement Class Members).
Deadline for receipt by the Settlement Administrator of any objections to the Settlement.	February 26, 2026 (forty- five (45) days after Settlement Administrator first mails Notice of Class Settlement to Settlement Class Members).
Deadline for Class Counsel to file Motion for Final Approval of Settlement.	March 26, 2026
Final Fairness and Final Approval Hearing.	April 17, 2026 ^{May 28} at 10:00 am or _____.

IT IS SO ORDERED.

Dated: 12/16/2025



Hon. David S. Cunningham III
Judge of the Los Angeles County Superior Court

PROOF OF SERVICE, COUNTY OF ORANGE

I am a resident of the State of California, County of Orange. I am over the age of eighteen years and not a party to the within action. My business address is 9880 Research Drive., Suite 200, Irvine, California 92618.

On December 10, 2025, I served on the interested parties in this action the following document(s) entitled:

[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT

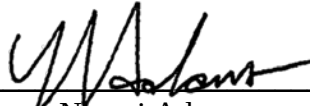
[XX] BY ELECTRONIC SERVICE: Based on a court Order or an agreement by the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from the email address naomi@jameshawkinsaplc.com to the persons at the e-mail addresses listed in the Service List below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

SERVICE LIST

See attached page.

[XX] STATE: I declare under penalty of perjury, under the laws of the State of California, that the above is true and correct.

Executed on December 10, 2025, at Irvine, California.



Naomi Adams

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