

ENDORSED FILED
October 27, 2022
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER
CLERK OF THE COURT
By: Brenda Johnson, Deputy

1 Kevin Mahoney (SBN: 235367)
2 kmahoney@mahoney-law.net
3 Berkeh Alemzadeh (SBN: 324834)
4 **MAHONEY LAW GROUP, APC**
5 249 East Ocean Boulevard, Suite 814
6 Long Beach, CA 90802
7 Telephone: (562) 590-5550
8 Facsimile: (562) 590-8400

9 Attorneys for Plaintiff VICTOR LOPEZ as an individual and on behalf of all employees
10 similarly situated

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **THE COUNTY OF SUTTER**

13 VICTOR LOPEZ as an individual and on
14 behalf of all employees similarly situated,

15 Plaintiff,

16 v.

17 VALLEY CUSTOM HARVESTING, LLC;
18 and DOES 1 through 50, inclusive,

19 Defendants.

Case No. CVCS20-0001035

20 **~~[PROPOSED]~~ ORDER GRANTING**
21 **PRELIMINARY APPROVAL OF CLASS**
22 **ACTION SETTLEMENT, APPROVING**
23 **NOTICE, AND SETTING DATE FOR**
24 **FINAL APPROVAL HEARING**

25 Assigned for all purposes to:
26 Hon. Perry Parker, Dep.:

27 Complaint filed: July 1, 2020
28 Trial Date: Not Yet Set

1 Plaintiff's unopposed Motion for Preliminary Approval of Class Action Settlement ("Joint
2 Motion") filed by Plaintiff VICTOR LOPEZ ("Plaintiff") came regularly for hearing before this
3 Court on July 25, 2022. After consideration of all the papers filed in connection therewith, the
4 arguments of counsel, and all other matters presented to the Court, the Court hereby makes a
5 preliminary finding that the proposed class action settlement is fair, reasonable, adequate and in
6 the best interests of the settlement class. Good cause appearing therefor, the Court **GRANTS** the
7 Motion and **ORDERS** as follows:

8 1. The terms of the settlement reached by Plaintiff and Defendant, as set forth
9 in the "Stipulation of Class and PAGA Action Settlement and Release," are hereby
10 preliminarily approved as being fair, reasonable and adequate to the members of the
11 Settlement Class, subject to further consideration at the final approval hearing after the
12 distribution of the notice to the members of the Settlement Class as provided in paragraph
13 6 of this Order.

14 2. The following settlement class is preliminarily approved for settlement
15 purposes only, and is referred to herein as the "Settlement Class": any and all individuals
16 employed as non-exempt machine-part fabrication workers or similar positions in by
17 Defendant, VALLEY CUSTOM HARVESTING ("Defendants), in the State of California
18 at any time between July 1, 2016 through July 25, 2022;

19 3. The Court appoints Kevin Mahoney and Berkeh Alemzadeh of Mahoney
20 Law Group, APC, as counsel on behalf of the Settlement Class ("Class Counsel") for
21 purposes of settlement only.

22 4. Plaintiff VICTOR LOPEZ is hereby appointed as representative of the
23 Settlement Class ("Class Representative") for purposes of settlement only.

24 5. The Court appoints Phoenix Class Action Administration Solutions as the
25 third-party settlement administrator.

26 6. The Court approves as to form and content the "Notice of Class Action
27 Settlement" ("Notice") marked as Exhibit A to the settlement agreement attached to the
28 declaration of Kevin Mahoney.

7. The Court authorizes mailing of the Notice to the Settlement Class Members by first-class United States mail to their last known addresses within seven (7) calendar days of receipt of the Class Information from Defendant.

8. A hearing to consider and determine (i) whether the Settlement Agreement should be finally approved, (ii) whether Class Counsel’s application for attorneys’ fees and costs should be approved, and (iii) whether the application for a Class Representative incentive award should be approved, is hereby set for December 5, 2022 at 9:00a.m.

9. The Court sets the following deadlines:

Deadline for Defendant to provide Class Information to Settlement Administrator	20 business days after entry of Preliminary Approval Order
Deadline for Settlement Administrator to mail Notice to Settlement Class Members	10 business days after receiving Class Information from Defendants
Deadline for Class Members to opt out of or object to the Settlement (“Response Deadline”)	60 days after Notice Packets are mailed by the Settlement Administrator to Settlement Class Members

APPROVED AS TO FORM

DATED: October 11, 2022

COOK BROWN, LLP
TERRY A. WILLS, ESQ.

By: 
Attorneys for Defendant
VALLEY CUSTOM HARVESTING

~~IT IS SO ORDERED:~~ See pg 2 ll 6-7

Dated: 10/27/2022

PERRY PARKER

THE HONORABLE PERRY PARKER