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Attorneys for Plaintiffs

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

MIGUEL ROSALES, ELIO RUBEN ALONSO,
JOHNNY MARQUEZ, and LEO PATINO,
individually, and on behalf of all others similarly
situated, and on behalf of the State of California
and other aggrieved persons,

Plaintiffs,

v.

HARBOR DISTRIBUTING, L.L.C., a Delaware
limited liability company,

Defendants.

Case No. 30-2023-01300842-CU-OE-CXC

*Assigned for all purposes to:
Hon. Layne H. Melzer, Dept. CX102*

**NOTICE OF RULING RE: PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: March 27, 2025
Time: 2:00 p.m.
Dept.: CX102

Complaint filed: January 9, 2023
Trial date: None set

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

2 **PLEASE TAKE NOTICE** that Plaintiffs Miguel Rosales, Elio Ruben Alonso, Johnny
3 Marquez, and Leo Patino's Motion for Preliminary Approval of Class Action Settlement was set
4 to be heard March 27, 2025 at 2:00 p.m., in Department CX102 of the Orange Superior Court,
5 Civil Complex Center located at 751 West Santa Ana Blvd., Santa Ana, CA 92701. Prior to the
6 hearing, the Court issued, and the parties submitted to the Tentative Ruling. The Court
7 confirmed the Tentative Ruling, as follows:

- 8 1. The Motion for Preliminary Approval of Class, FLSA Collective, and PAGA
9 Representative Action Settlement brought by Plaintiffs Miguel Rosales, Elio Ruben
10 Alonso, Johnny Marquez, and Leo Patino is GRANTED.
- 11 2. Within five (5) court days, Plaintiffs must make the following correction to the Class
12 Notice:
 - 13 • In Section 8, correct the department number to reflect the reassignment of the
14 action to Department CX102.
- 15 3. The Motion for Final Approval will be heard on July 24, 2025, at 2:00 p.m. in
16 Department CX102. All papers for the Motion for Final Approval are due no later than
17 sixteen (16) court days prior to the hearing date. If Class Counsel cannot meet this
18 deadline, then counsel must request a continuance of the hearing. Failure to do so may
19 result in the issuance of an OSC re Monetary Sanctions. At the Final Approval hearing,
20 evidence supporting the request for an award of attorneys' fees should be presented in
21 the form of time records, or a summary of time spent on the substantive tasks, to enable
22 the Court to evaluate the lodestar and costs claimed. Class Counsel should state by
23 declaration whether time records were kept and created contemporaneously or
24 otherwise. At the Final Approval hearing, Plaintiffs and Class Counsel must provide
25 detailed declarations describing circumstances to justify the requested enhancement
26 awards, and addressing factors set forth in *Golba v. Dick's Sporting Goods, Inc.* (2015)
27 238 Cal.App.4th 1251, 1272, and *Clark v. Am. Residential Servs., LLC* (209) 175
28 Cal.App.4th 785, 804. Plaintiffs must provide an estimate of the hours they each spent

1 on this litigation.

2 4. Plaintiffs are to give notice of this ruling, including to the LWDA, within ten (10)
3 calendar days.

4 A copy of the Court's 03/27/2025 Minute Order is attached hereto as Exhibit "1".

5
6
7 Dated: April 4, 2025

Respectfully submitted,

WILSHIRE LAW FIRM, PLC

8
9 By: Samantha Smith

10 John G. Yslas
11 Samantha Smith
12 Jeffrey C. Bils
13 Aram Boyadjian
14 Attorneys for Plaintiffs
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EXHIBIT 1

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER**

MINUTE ORDER

DATE: 03/27/2025

TIME: 02:00:00 PM

DEPT: CX102

JUDICIAL OFFICER PRESIDING: Layne H. Melzer

CLERK: L. Mendez

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: A. Condaras

CASE NO: **30-2023-01300842-CU-OE-CXC** CASE INIT.DATE: 01/09/2023

CASE TITLE: **Rosales vs. Harbor Distributing, L.L.C.**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

EVENT ID/DOCUMENT ID: 74502961

EVENT TYPE: Motion for Approval of Class Settlement

MOVING PARTY: Johnny Marquez, Miguel Rosales, Elio Ruben Alonso, Leo Patino

CAUSAL DOCUMENT/DATE FILED: Motion - Other For Preliminary Approval of Class Action Settlement, 07/31/2024

APPEARANCES

No Appearance by all parties

Tentative Ruling posted on the Internet.

The Tentative Ruling was accepted and no appearance was requested.

The Court confirms the tentative ruling as follows:

The Court has reviewed the supplemental materials submitted by the parties and finds that they have adequately addressed all of the identified concerns. Therefore, the Motion for Preliminary Approval of Class, FLSA Collective, and PAGA Representative Action Settlement brought by Plaintiffs Miguel Rosales, Elio Ruben Alonso, Johnny Marquez, and Leo Patino is GRANTED.

This is a putative wage-and-hour class action and PAGA settlement. On January 9, 2023, Plaintiff Miguel Rosales filed a PAGA-only Complaint against Defendant Harbor Distributing, LLC ("Defendant"). On April 11, 2024, pursuant to stipulation and order, Rosales filed the First Amended PAGA Representative and Class Action Complaint adding Plaintiffs Elio Ruben Alonso, Johnny Marquez, and Leo Patino as Named Plaintiffs. The FAC also added nine class claims for various Labor Code wage-and-hour violations and violation of the Unfair Competition Law.

On July 16, 2024, pursuant to stipulation and order, Plaintiffs filed the operative Second Amended Complaint wherein they added a cause of action for violation of the federal Fair Labor Standards Act.

Within five (5) court days, Plaintiffs must make the following correction to the Class Notice:

- In Section 8, correct the department number to reflect the reassignment of the action to Department CX102.

The Motion for Final Approval will be heard on **July 24, 2025, at 2:00 p.m. in Department CX102**. All papers for the Motion for Final Approval are due no later than sixteen (16) court days prior to the hearing date. If Class Counsel cannot meet this deadline, then counsel must request a continuance of the

hearing. Failure to do so may result in the issuance of an OSC re Monetary Sanctions.

At the Final Approval hearing, evidence supporting the request for an award of attorneys' fees should be presented in the form of time records, or a summary of time spent on the substantive tasks, to enable the Court to evaluate the lodestar and costs claimed. Class Counsel should state by declaration whether time records were kept and created contemporaneously or otherwise.

At the Final Approval hearing, Plaintiffs and Class Counsel must provide detailed declarations describing circumstances to justify the requested enhancement awards, and addressing factors set forth in *Golba v. Dick's Sporting Goods, Inc.* (2015) 238 Cal.App.4th 1251, 1272, and *Clark v. Am. Residential Servs., LLC* (209) 175 Cal.App.4th 785, 804. Plaintiffs must provide an estimate of the hours they each spent on this litigation.

Plaintiffs to give notice of this ruling, including to the LWDA, within ten (10) calendar days.

PROOF OF SERVICE

Miguel Rosales, et al. v. Harbor Distributing, L.L.C.
30-2023-01300842-CU-OE-CXC

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Christina Hicklin, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is christina.hicklin@wilshirelawfirm.com.

On April 4, 2025, I served the foregoing **NOTICE OF RULING RE: PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**, on the interested parties listed below by following one of the methods of service as follows:

SEE ATTACHED SERVICE LIST

(X) **BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person at the email addresses listed above using One Legal.

(X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 4, 2025, at Los Angeles, California.



Christina Hicklin

SERVICE LIST

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