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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

MAR 26 2026

DAVID H. YAMASAKI, Clerk of the Court

BY: _____, DEPUTY

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

FREDERICK BERNARD on behalf of himself
and all similarly situated persons, and the
general public,

Plaintiff,

vs.

OPTIMA TAX RELIEF, LLC; OPTIMA
FINANCIAL GROUP, LLC; and DOES 1
through 25, inclusive,

Defendants.

Case No. 30-2022-01288055-CU-OE-CXC

[Assigned for all purposes to the
Honorable William Claster, Dept. CX101]

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

DATE: January 16, 2026

TIME: 9:00 a.m.

DEPT: CX101

1 Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement came
2 before this Court on March 20, 2026 at 9:00 a.m., the Honorable William Claster, presiding. Having
3 considered the motion and its supporting papers and for good cause shown,

4 **IT IS HEREBY ORDERED THAT:**

5 1. The Court grants preliminary approval of the proposed class action and PAGA
6 settlement based upon the terms set forth in the Joint Stipulation of Class Action and PAGA
7 Settlement ("Settlement Agreement") attached as Exhibit 1 to the Declaration of John Glugoski in
8 support of Plaintiff's Unopposed Motion for Preliminary Approval of Class Action and PAGA
9 Settlement and the First Addendum to Joint Stipulation of Class Action and PAGA Settlement
10 (Addendum), attached as Exhibit A to the Declartion of Reuben Nathan.

11 2. The Court adopts all defined terms as set forth in the Settlement Agreement and the
12 Addendum and finds that the proposed settlement appears to be within the range of reasonableness
13 necessary for preliminary approval by the Court, but final determination of whether the proposed
14 settlement terms are fair, adequate and reasonable will be made at the final approval hearing.

15 3. With respect to the Class and for purposes of approving this settlement only, this Court
16 preliminarily finds that: (a) the members of the Class are ascertainable and so numerous that joinder
17 of all members is impracticable; (b) there are questions of law and fact common to the Class and there
18 is a well-defined community of interest among the Class Members with respect to the subject matter
19 of the litigation; (c) the claims of the Class Representative and the defenses thereto are typical of the
20 claims of the Class Members and the defenses thereto; (d) the Class Representative will fairly and
21 adequately protected the interests of the Class Members; (e) a class action is superior to other
22 available methods for an efficient adjudication of this controversy; and (f) counsel of record for the
23 Class Representative are qualified to serve as counsel for Plaintiff in his individual and representative
24 capacities and for the Class.

25 4. The Court therefore conditionally certifies a Settlement Class defined as follows:

26 All individuals employed in California by Defendant in
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hourly, non-exempt positions during the Class Period¹.

5. The Court preliminarily approves Plaintiff Frederick Bernard (“Plaintiff”) to serve as the Class Representative. The Court recognizes that the proposed settlement provides that Plaintiff may seek a class representative service award of \$20,000 and release payment of \$25,000, which Defendants do not oppose. ~~The Court preliminarily finds that some amount up to \$20,000 for a class representative service award and release payment of \$25,000 for Plaintiff may be fair and reasonable, but the finding as to the actual amount to be awarded will be determined at the final approval hearing.~~

NDC

6. The Court preliminarily approves Nathan & Associatics, APC and Righetti Glugoski, P.C. to serve as Class Counsel. The Court recognizes that as part of the proposed settlement, Defendants have agreed not to oppose Class Counsel’s fee request of up to \$500,000.00 (33.3% of the Total Settlement Amount). ~~The Court preliminarily finds that some amount up to \$500,000 in fees may be fair and reasonable, but the finding as to the actual amounts to be awarded will be determined at the final approval hearing.~~

NDC

~~The Court also recognizes that as part of the proposed settlement, Defendants have agreed not to oppose Class Counsel’s cost request of up to \$50,000. The Court preliminarily finds that some amount up to \$50,000 in costs may be fair and reasonable, but the finding as to the actual amounts to be awarded will be determined at the final approval hearing.~~

7. The Court preliminary approves the amount of \$50,000.00 from the Gross Settlement Amount to be allocated to penalties under the Private Attorneys General Act of 2004. Seventy-five percent (75%) of that amount, or \$37,500.00, will be paid to the LWDA and twenty-five (25%) of that amount, or \$12,500, will be allocated on a pro-rata share basis to the aggrieved employees.

8. The Court approves the format and content of the Notice of Class Action Settlement (the “Class Notice”) attached hereto as **Exhibit 1**. The Court finds that the dissemination of the Class Notice in the manner set forth in the Settlement Agreement complies with the requirements of due process and appears to be the best notice practicable under the circumstances.

9. The Court appoints ILYM Group, Inc. (“ILYM”) to serve as the Settlement Administrator and preliminarily approves that the settlement administration costs (not to exceed

¹ “Class Period” means January 1, 2020, through date of Preliminary Approval..


1 \$50,000) be paid from the Total Settlement Amount. The Court directs ILYM to disseminate the
2 Class Notice in the manner set forth in the Settlement Agreement.

3 10. The Court orders the following implementation schedule for further proceedings:
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5 a.	Deadline for Defendants to Submit Class List and Data to Settlement Administrator	Twenty-one (21) calendar days after the Preliminary Approval Order
6 b.	Deadline for Settlement Administrator to Mail the Notice Packet to Class Members	Seven (7) calendar days after Defendants provide the Settlement Administrator with the Class List and Data
7 c.	Deadline for Class Members to Submit Opt-Out or Objections to Settlement Administrator	Forty-five (45) calendar days after initial mailing of Class Notice to Class Members
8 d.	Deadline for Class Counsel to file (1) Motion for Final Approval of Class Action Settlement and (2) Motion for Award of Class Representative Enhancement Award, Claims Administrator's Expenses and Attorneys' Fees and Costs	August 13, 2026 (16 Court days before the hearing)
9 e.	Hearing on: <ul style="list-style-type: none">• Motion for Final Approval of Class Action Settlement;• Motion for Award of Class Representative Enhancement Award, Settlement Administrator's Expenses and Attorneys' Fees and Costs	September 4, 2026 at 9:00 a.m.

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25 **IT IS SO ORDERED.**

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27 Dated: 3-26-24


HONORABLE WILLIAM CLASTER
Judge of the Superior Court of California