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FILED
Superior Court of California
County of Los Angeles
12/01/2025

David W. Slayton, Executive Officer / Clerk of Court
By: E. Martinez Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

PEDRO NUNEZ, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

F.G. MEDITERRANEAN, d/b/a Fresh
Grill Mediterranean, a California
corporation; FARZAD CHESHMAGHIL,
an individual, and DOES 1 through 50,
inclusive,

Defendants.

CASE NO. 24STCV05626

*[Assigned for all purposes to the Hon. Kenneth R.
Freeman, Dept. 14]*

CLASS ACTION

**~~[PROPOSED]~~ ORDER GRANTING MOTION
FOR ORDER PROVISIONALLY
CERTIFYING SETTLEMENT CLASS AND
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

[FILED CONCURRENTLY WITH NOTICE OF
MOTION AND MOTION FOR ORDER
PROVISIONALLY CERTIFYING SETTLEMENT
CLASS AND PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT; AND
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT THEREOF;
DECLARATIONS OF MICHAEL H.
BOYAMIAN AND PEDRO NUNEZ]

Action Filed: March 6, 2024

Hearing

Date: ~~October 7, 2025~~ 12/01/2025

Time: ~~11:00 a.m.~~ 10:00 AM

Dept. ~~14~~ 15

1 **ORDER**

2 Having considered Plaintiff's Motion for Order Provisionally Certifying Settlement Class
3 and Preliminary Approving of Class Action Settlement, the declarations and exhibits thereto, and
4 having found good cause for the issuance of an Order, the Court orders as follows:

5 **NOW THEREFORE, IT IS HEREBY ORDERED:**

6 1. This Order incorporates by reference the definitions in the Joint Stipulation for
7 Class And PAGA Settlement ("Settlement Agreement"), and all terms defined therein shall have
8 the same meaning as set forth in the Settlement Agreement.

9 2. The Settlement Class shall be conditionally certified for settlement purposes only
10 and shall consist of:

- 11 ○ All hourly, non-exempt Restaurant Employees (including, but not limited
12 to, the titles of "server", "cooks", "food runner", "bus boy", "busser", "food
13 preparer" or other similarly situated titles/positions) who are or have been
14 employed by Defendant in the State of California at any time from
15 September 10, 2019 to March 12, 2025.

16 3. The Settlement entered into among the Parties and their counsel, is preliminarily
17 approved as it appears to be proper, to fall within the range of reasonableness, to be the product of
18 arm's-length and informed negotiations, to treat all Class Members fairly, and to be presumptively
19 valid, subject to any objections that may be raised at or before the final approval hearing. Plaintiff
20 has provided the Court with enough information about the nature and magnitude of the claims
21 being settled, as well as the impediments to recovery, to make an independent assessment of the
22 reasonableness of the terms to which the Parties have agreed.

23 4. The Court approves, as to form and content, the proposed Notice of Class Action
24 Settlement ("Notice Packet").

25 5. The Court directs the mailing, by first-class regular U.S. mail, of the Notice Packet
26 in accordance with the schedule set forth below and the procedures described in the Settlement
27 Agreement. The Court finds that the method selected for communicating the preliminary approval
28 of the Settlement Agreement to Class Members is the best notice practicable under the

2.

1 circumstances, constitutes due and sufficient notice to all persons entitled to notice and thereby
2 satisfies due process.

3 6. The Court appoints Boyamian Law, Inc., as Class Counsel. Class Counsel are
4 authorized to act on behalf of the Class with respect to all acts or consents required by, or which
5 may be given, pursuant to the Settlement, and such other acts reasonably necessary to finalize the
6 Settlement and its terms. Any Class Members may enter an appearance through his or her own
7 counsel at such Class Member's own expense. Any Class Member who does not enter an
8 appearance or appear on his or her own behalf will be represented by Class Counsel.

9 7. The rights of any potential objectors to the proposed Settlement are adequately
10 protected in that they may exclude themselves from the Settlement or they may object to the
11 Settlement. However, to do so they must follow the procedures outlined in the Settlement
12 Agreement and Notice of Class Action Settlement for making objections and opt-outs.

13 8. The Court approves and appoints ILYM Group as the Settlement Administrator.

14 9. The Court hereby finds that the disposition in this case results in no "unpaid cash
15 residue," or "unclaimed or abandoned funds" under California Civil Procedure Code section 384,
16 as amended effective June 27, 2018, as the entire Net Settlement Amount will be paid out to the
17 Class Members, whether or not they all cash their payment checks. The entire amount of each
18 Class Members' uncashed settlement check(s) shall be turned over to the California State
19 Controller's Office of Unclaimed Property in the name of the individual Class Member.

20 10. The following dates shall govern for purposes of this Settlement:

Date Triggering Events	Event
The date of this order	Date of Preliminary Approval of the Settlement and conditional certification of the Class ("Preliminary Approval")

Within thirty (30) calendar days of Preliminary Approval	Deadline to Deliver Class Information to Settlement Administrator [within 30 calendar days of Preliminary Approval]
Within seven (7) days after the information is provided to the Settlement Administrator	Deadline for Settlement Administrator to mail Class Notice Packets (Mailing Date) [within 7 calendar days of Preliminary Approval]
Within thirty (30) calendar days after Mailing Date; this deadline will be extended fourteen (14) calendar days for any Class Member who is re-mailed a Notice Packet by the Claims Administrator	Opt-Out and Objection deadline for Class Members to submit objections or requests for exclusion/opt-out from Settlement [within thirty (30) calendar days after Mailing Date; this deadline will be extended fourteen (14) calendar days for any Class Member who is re-mailed a Notice Packet by the Claims Administrator]
No later than [DATE TBD]: _____ per code _____	Plaintiffs deadline for filing: (1) Motion for Final Approval; (2) Application for Attorney's Fees, Costs, and Expenses, (3) Motion for Plaintiffs Enhancement Awards; and (4) Declaration from Settlement Administrator
_____ 04/27/2026 _____ at _____ 10 : 00 a.m./p.m.	Final Approval Hearing

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11. The Court reserves the right to adjourn or continue the date of the Final Approval Hearing and all dates provided for in the Settlement without further notice to the Class, and retains jurisdiction to consider all further applications arising out of, or connected with, the Settlement.

IT IS SO ORDERED.

Dated: 12/01/2025




Hon. Judge Kenneth R. Freeman
Judge of the Superior Court
Timothy Patrick Dillon / Judge