

42069274
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

AUG 05 2026

DAVID H. YAMASAKI, Clerk of the Court

BY M. NEVAREZ, DEPUTY

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

FRANCISCO PEREZ, OSCAR ZARAGOZA,
and NIYOM CHETCHEUTH, individually, and
on behalf of all others similarly situated,

Plaintiffs,

v.

SERVICE CHAMPIONS, LLC, a California
limited liability company; and DOES 1 through
10, inclusive,

Defendants.

Case No.: 30-2024-01396861-CU-OE-CXC

*[Assigned for All Purposes to the Hon. David
A. Hoffer, Dept. CX-103]*

**REVISED [~~PROPOSED~~] ORDER
GRANTING PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Preliminary Approval Hearing:

Date: July 27, 2026

Time: 1:30 p.m.

Dept: CX-103

Action Filed: April 30, 2024

1 **[PROPOSED] ORDER**

2 Having reviewed Plaintiffs Francisco Perez, Oscar Zaragoza, and Niyom Chetcheuth's
3 (collectively "Plaintiffs") Motion for Preliminary Approval of Class Action and PAGA
4 Settlement ("Motion"), the Declaration of John G. Yslas, the Declaration of Francisco Perez,
5 the Declaration of Oscar Zaragoza, the Declaration of Niyom Chetcheuth, the Declaration of
6 Courtney M. Miller, the Supplemental Declaration of Courtney M. Miller, and the Class Action
7 and PAGA Settlement Agreement and First Amendment to Class Action and PAGA Settlement
8 Agreement and Class Notice (collectively "Settlement Agreement"), and good cause appearing,
9 the Court finds and HEREBY ORDERS THE FOLLOWING:

10 1. The Court finds on a preliminary basis that the Settlement Agreement appears to
11 be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval.
12 The Court grants preliminary approval of the Settlement and the Settlement Class based on the
13 terms set forth in the Settlement Agreement between Plaintiffs and Defendant Service
14 Champions, LLC ("Defendant"), attached to the Declaration of John G. Yslas in Support of
15 Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement as **Exhibit**
16 **3** and to the Supplemental Declaration of Courtney M. Miller in Support of Plaintiffs' Motion
17 for Preliminary Approval of Class Action and PAGA Settlement as **Exhibit 1**.

18 2. The Settlement falls within the range of reasonableness of a settlement which
19 could ultimately be given final approval by this Court, and appears to be presumptively valid,
20 subject only to any objections that may be raised at the Final Approval Hearing and final
21 approval by this Court. The Court notes that Defendant has agreed to create a common fund of
22 \$1,200,000.00 to cover (a) settlement payments to Class Members who do not validly opt out;
23 (b) a \$50,000.00 allocation toward civil penalties under the Private Attorneys General Act, 65%
24 of which (\$32,500.00) will be paid to California's Labor & Workforce Development Agency
25 and 35% of which (\$17,500.00) will be paid to Aggrieved Employees; (c) Class Representative
26 Service Payment of up to \$10,000.00 to each of the Plaintiffs (totaling \$30,000.00); (d) Class
27 Counsel's attorneys' fees not to exceed one third (1/3) of the Gross Settlement Amount
28 (currently estimated to be \$400,000.00), and up to \$25,000.00 in costs for actual litigation

1 expenses incurred by Class Counsel; and (e) Settlement Administration Costs of up to
2 \$12,600.00.

3 3. The Court preliminarily finds that the terms of the Settlement appear to be within
4 the range of possible approval, pursuant to California Code of Civil Procedure § 382 and
5 applicable law. The Court finds on a preliminary basis that: (1) the Settlement amount is fair
6 and reasonable to the Class Members when balanced against the probable outcome of further
7 litigation relating to class certification, liability and damages issues, and potential appeals; (2)
8 significant informal discovery, investigation, research, and litigation have been conducted such
9 that counsel for the Parties at this time are able to reasonably evaluate their respective positions;
10 (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented
11 by the further prosecution of the litigation; and (4) the proposed Settlement has been reached as
12 the result of intensive, serious, and non-collusive negotiations between the Parties with the
13 assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds
14 that the Settlement Agreement was entered into in good faith.

15 4. A final fairness hearing on the question of whether the proposed Settlement,
16 attorneys' fees and costs to Class Counsel, payment to the California's Labor & Workforce
17 Development Agency for its share of the settlement of claims for penalties under the Private
18 Attorneys General Act, and the Class Representative Service Payment should be finally
19 approved as fair, reasonable and adequate as to the members of the Class is hereby set in
20 accordance with the Implementation Schedule set forth below.

21 5. The Court provisionally certifies for settlement purposes only the following class
22 (the "Class"): "all non-exempt, hourly individuals that worked for Defendant in California
23 during the Class Period."

24 6. "Class Period" means the period from November 4, 2019, through July 1, 2025.

25 7. The Court finds, for settlement purposes only, that the Settlement Class meets the
26 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
27 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions
28 of law and fact that are common, or of general interest, to all Settlement Class Members, which

predominate over individual issues; (3) Plaintiffs' claims are typical of the claims of the Settlement Class Members; (4) Plaintiffs and Class Counsel will fairly and adequately protect the interests of the Settlement Class Members; and (5) a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

8. The Court appoints as Class Representatives, for settlement purposes only, Plaintiffs Francisco Perez, Oscar Zaragoza, and Niyom Chetcheuth. The Court further preliminarily approves Plaintiffs' ability to request an incentive award of up to \$10,000.00 each (totaling \$30,000.00).

9. The Court appoints, for settlement purposes only, John G. Yslas, Eugene Zinovyev, John Brown, Gabriella Solé, Emily K. Borman, and Courtney M. Miller of Wilshire Law Firm, PLC, as Class Counsel. The Court further preliminarily approves Class Counsel's ability to request attorneys' fees of up to one third (1/3) of the Gross Settlement Amount (currently estimated to be \$400,000.00), and litigation costs not to exceed \$25,000.00.

10. The Court appoints ILYM Group Inc. as the Settlement Administrator with reasonable administration costs estimated not to exceed \$12,600.00.

11. The Court approves, as to form and content the Class Notice, included in the First Amendment to Class Action and PAGA Settlement Agreement and Class Notice. The Court finds on a preliminary basis that plan for distribution of the Notice to Settlement Class Members satisfies due process, provides the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

12. The Parties are ordered to carry out the Settlement according to the terms of the Settlement Agreement.

13. Any Class Member who does not timely and validly request exclusion from the Settlement may object to the Settlement Agreement.

///

///

///

///

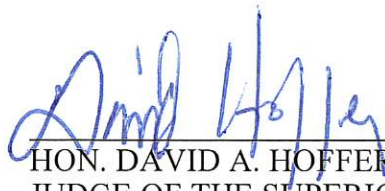
14. The Court orders the following Implementation Schedule:

Event	Timing
Class Data: Last day for Defendant to provide Class Data to the Administrator	15 days after the Court grants Preliminary Approval of the Settlement
Class Notice: Last day for Administrator to mail the Class Notice to Class Members	14 days after receipt of the Class Data
Response Deadline: Last day for Class Members to submit written objections, challenges to workweeks and/or pay periods, and requests for exclusion	45 days after Class Notice is mailed out by the Administrator (with an additional 14 days for Class Members whose Class Notice was remailed)
Filing Deadline: Last day to file Motion for Final Approval, Request for Attorneys' Fees and Costs, and Class Representative Service Payments to Plaintiffs	16 court days before the Final Approval Hearing
Final Approval Hearing	<u>December 21</u> , 2026, at <u>1:30pm</u> a.m./p.m. in Dept. CX-103 of the above-referenced Court.

15. The Court further ORDERS that, pending further order of this Court, all proceedings in this lawsuit, except those contemplated herein and in the settlement, are stayed.

IT IS SO ORDERED.

DATE: 8/5/26


HON. DAVID A. HOFFER
JUDGE OF THE SUPERIOR COURT