

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

OCT 12 2023

BY 
JESSICA MORALES, DEPUTY

BY FAX

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO

IGNACIO TAFOYA VARGAS, individually
and on behalf of others similarly situated, and
as an aggrieved employee and Private Attorney
General,

Plaintiffs,

vs.

CHEMCOR CHEMICAL CORPORATION, a
California corporation; DAVID D. TARQUIN,
an individual; RONALD H. TARQUIN, an
individual; FRANK K. TARQUIN, an
individual; and DOES 4 through 100,
inclusive,

Defendants.

Case No.: CIVSB2110114

*Assigned for all purposes to the Hon. David
Cohn, Dept. S26*

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

Date: September 20, 2023
Time: 9:00 a.m.
Dept.: S26

Complaint Filed: April 5, 2021
FAC Filed: July 16, 2021
Trial Date: None Set

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[PROPOSED] ORDER

The Motion of Plaintiff Ignacio Tafoya Vargas (“Plaintiff”) for Preliminary Approval of Class Action and PAGA Settlement (“Motion”) came on regularly for hearing before this Court on September 20, 2023. The Court, having considered the proposed Class Action Settlement Agreement (“Settlement Agreement” or “Settlement”), attached as **Exhibit 1** to the Declaration of Heather M. Davis and **Exhibit A** to this [Proposed] Order filed concurrently with the Motion, having considered Plaintiff’s Motion for Preliminary Approval of Class Action and PAGA Settlement, memorandum of points and authorities in support thereof, and supporting declarations filed therewith; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

1. The Court GRANTS preliminary approval of the class action settlement as set forth in the Settlement Agreement and finds its terms to be within the range of reasonableness of a settlement that ultimately could be granted approval by the Court at a Final Fairness hearing. All terms used herein shall have the same meaning as defined in the Settlement Agreement. For purposes of the Settlement only, the Court finds that the proposed Class is ascertainable and that there is a sufficiently well-defined community of interest among the members of the Class in questions of law and fact. Therefore, for settlement purposes only, the Court grants conditional certification of the following settlement Class:

All current and former non-exempt employees of Defendants Chemcor Chemical Corporation (“Chemcor”), David D. Tarquin (“David”), Ronald H. Tarquin (“Ronald”), and Frank K. Tarquin (“Frank”) employed in the state of California at any time from April 5, 2017 through June 14, 2022.

2. For purposes of the Settlement only, the Court designates Plaintiff as Class Representative, and designates Protection Law Group, LLP as Class Counsel.

3. The Court designates APEX Class Action Settlement Administrators as the third-party Settlement Administrator.

4. The parties are ordered to implement the Settlement according to the terms of the Settlement Agreement.

