

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO
CENTRAL COURTHOUSE

TENTATIVE RULINGS - January 29, 2026

HEARING DATE: Jan. 30, 2026 HEARING TIME: 8:30 a.m. DEPT.: 65

JUDICIAL OFFICER: Mark T. Cumba

CASE NO.:37-2023-00050188-CU-OE-CTL

CASE TITLE: Chase vs Allied Gardens Towing Inc [E-FILE]

CASE TYPE: (U)Other Employment

HEARING TYPE:

Plaintiff's Motion for Preliminary Approval of Class and PAGA Action Settlement (ROA 27) is GRANTED.

The court finds there is sufficient evidence to conclude, on a preliminary basis, the proposed settlement is fair and reasonable. (*Chaves v. Netflix, Inc.* (2008) 162 Cal.App.4th 43, 52.)

However, settlement class members are to be provided 60 days to object, dispute, or opt out, rather than 45 days.

The final approval hearing is scheduled for **October 30, 2026 at 8:30 a.m.** in this department. This hearing reservation contemplates one set of moving papers and the papers are to be within the page limits. The moving papers are to be timely filed per Code.

Plaintiff's moving papers exceeded the applicable page limit. (Cal. R. Court, rule 3.1113(d), "Except in a summary judgment or summary adjudication motion, no opening or responding memorandum may exceed 15 pages.") The court has exercised its discretion to consider the excessive briefing on this occasion. However, continued violation of court rules may result in the court setting an OSC re: sanctions. (Cal. R. Court, rule 2.30; Code Civ. Proc. §§ 177.5, 575.2.) Plaintiff and his counsel are to comply with all court rules going forward.

The case management conference is ordered VACATED.

Plaintiffs are to submit a revised proposed order to include the date of the final approval hearing and stating that all papers pertaining to the motion for final approval are to be filed per Code. In addition, no documents may be incorporated by reference; any necessary documents may be attached. The proposed order is to be submitted within five (5) days. (Cal. R. Court, rule 3.769(e).)