

FILED
San Diego Superior Court

MAR 16 2026

Clerk of the Superior Court
By: Y. Mapula, Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

JOSEPH GONZALEZ, KEVIN CLEMENTE,
JAMES HARDEN, and GHAZI SANKARI
individuals, on behalf of themselves and on
behalf of all persons similarly situated,
Plaintiffs,

v.

OREMOR AUTOMOTIVE GROUP, LLC;
OREMOR EUROPEAN, LLC D/B/A
MERCEDES BENZ OF EL CAJON;
ROMERO AUTOMOTIVE, INC.; OREMOR
DEVELOPMENT, LLC; OREMOR
FINANCIAL SERVICES, LLC; OREMOR OF
CAPISTRANO, LLC; OREMOR OF
FONTANA, LLC; OREMOR OF FRESNO,
LLC; OREMOR OF GLENDALE, LLC;
OREMOR OF ITALY II, LLC; JEEP
CHRYSLER OF ONTARIO, INC.; OREMOR
OF ONTARIO EN, LLC; OREMOR OF
ONTARIO JCDR, LLC; OREMOR OF
RIVERSIDE RC, LLC; OREMOR OF
RIVERSIDE, LLC; OREMOR OF
TEMECULA LX LLC; OREMOR OF
TEMECULA, LLC; OREMOR OF TUSTIN,
LLC; OREMOR OF VICTORVILLE, LLC;
OREMOR OF WOODLAND HILLS, LLC;
OREMOR ONTARIO DODGE, INC.;
ROMERO MOTORS, LLC; OREMOR
MANAGEMENT & INVESTMENT
COMPANY; ROMERO MOTORS
CORPORATION; J. MCCULLOUGH
CORP; UNITED RECOVERY, INC.;
ACQUIRECORP'S NORWALK AUTO
AUCTION; and DOES 1 through 50, inclusive,
Defendants.

Case No. 37-2024-00019752-CU-OE-CTL

Hon. Joel R. Wohlfeil
Dept. 73

CLASS ACTION

**[Proposed] Order Granting Preliminary
Approval of Class Action Settlement**

Motion for Prelim. App. Hearing

Date: February 20, 2026

Time: 9:00 a.m.

[Filed concurrently with Notice of Motion and
Motion for Preliminary Approval of Class Action
Settlement, Memorandum of Points and Authorities,
Declaration of Nicholas J. Ferraro, Declaration of
Jean-Claude Lapuyade, and Declaration of Shani O.
Zakay]

Action Filed: April 26, 2024

1 This matter came on for hearing on February 20, 2026, at 9:00 a.m. in Department 73 of the
2 above-captioned Court on Plaintiffs’ Motion Preliminary Approval of Class Action Settlement
3 (“Motion”).

4 Having fully reviewed the Motion, the supporting Memorandum of Points and Authorities,
5 Declaration of Nicholas J. Ferraro (and its exhibits), including the amended settlement agreement
6 (“Settlement”), and the notice attached as an exhibit to the Settlement, and in recognition of the Court’s
7 duties (to make a preliminary determination as to the reasonableness of any proposed class action
8 settlement; to ensure proper notice is provided to all class members in accordance with due process
9 requirements; and to set a final approval hearing to consider the good faith, fairness, adequacy and
10 reasonableness of the proposed Settlement), the Court makes the following determinations and orders:

11 1. The Court conditionally finds, for the purposes of approving this settlement only, the
12 proposed class meets the requirements for certification under § 382 of the California Code of Civil
13 Procedure: (a) the proposed class is ascertainable and so numerous joinder of all class members is
14 impracticable; (b) there are questions of law or fact common to the proposed class, and a well-defined
15 community of interest among members of the proposed class with respect to the subject matter of the
16 class action; (c) the claims of the class representatives are typical of the claims of the members of the
17 proposed class; (d) the class representatives appears to be adequate to serve in that role; (e) a class
18 action is superior to other available methods for an efficient adjudication of this controversy in the
19 context of settlement; and (f) counsel of record for the Plaintiffs are qualified to serve as class counsel.

20 2. The class is hereby defined and certified as: “all individuals currently or formerly
21 employed by Defendants in California as hourly, non-exempt employees during the Class Period
22 [August 23, 2022, to June 20, 2025, or the date of preliminary approval, whichever is earlier]”

23 3. The Court finds, on a preliminary basis, the Settlement, incorporated by this reference
24 in full, and made a part of this Order, appears to be within the range of reasonableness of a settlement
25 which could ultimately be given final approval by this Court.

26 4. The Court further finds, on a preliminary basis, (a) the non-reversionary Gross
27 Settlement Amount is fair and reasonable to the class when balanced against the probable outcome of
28 further litigation relating to class certification, liability and damages issues, and potential appeals;

1 (b) sufficient investigation, research, and informal discovery, have been conducted such that counsel
2 for the parties are able to reasonably evaluate their respective positions; (c) settlement at this time will
3 avoid substantial costs, delay, and risks presented by further prosecution of the litigation; and (d) the
4 proposed Settlement was reached through prudent and non-collusive negotiations.

5 5. The Court finds the allocation from the common fund to PAGA penalties, including the
6 LWDA's 75% share, as fair, adequate, and reasonable in light of the overall gross settlement and that
7 the proposed settlement of PAGA penalties has been adequately submitted to the LWDA in advance of
8 the preliminary approval hearing. Therefore, the Court **APPROVES** the PAGA payment pursuant to
9 Labor Code § 2699(s)(2).

10 6. Accordingly, good cause appearing, the Motion for Order Granting Preliminary
11 Approval of Class Action Settlement is **GRANTED**.

12 7. Class members are therefore defined pursuant to the terms set forth in the Settlement.

13 8. The Court further finds the proposed notice fairly and adequately advises class members
14 of (a) pendency of the Settlement; (b) conditional class certification for settlement purposes only;
15 (c) preliminary Court approval of the proposed Settlement; (d) the date, time and place of the Final
16 Approval Hearing; (e) the terms of the proposed Settlement and the benefits available to the class under
17 the Settlement; (f) their right to receive a proportionate share of the Net Settlement Amount without
18 the need to return a claim form; (g) their right to request exclusion, and the procedures and deadline for
19 doing so; (h) their right to object to the Settlement, and the procedure and deadline for doing so; and
20 (i) their right to appear at the final approval hearing.

21 9. The Court further finds the proposed notice provides the best practicable notice to the
22 Class and comports with the constitutional requirements, including those of due process. The Court
23 further finds that mailing of the notice to the last known address of all class members with measures
24 taken for verification of an address and skip tracing of bad addresses, as specifically described within
25 the Settlement, constitutes an effective method of notifying class members of their rights with respect
26 to the class action and the Settlement.

27 10. Therefore, for good cause, the Court **APPROVES** the notice for distribution to the class
28 pursuant to the notice procedures set forth in full in the Settlement.

1 Accordingly, it is **ORDERED** that:

2 a. Apex Class Action LLC be appointed the Administrator of the Settlement, as
3 more specifically set forth in the Settlement;

4 b. Ferraro Vega Employment Lawyers, JCL Law Firm, APC, and Zakay Law
5 Group, APLC be appointed as class counsel;

6 c. Plaintiffs Kevin Clemente, James Harden, Joseph Gonzalez, and Ghazi Sankari
7 be appointed as class representatives;

8 d. All deadlines, terms, and conditions set forth in the Settlement incorporated by
9 reference into this Order shall apply and govern the notice procedure and response deadlines;

10 e. Any class member who desires to object may appear in Court at the Final
11 Approval Hearing to present oral objections;

12 f. If for any reason the Court does not execute and file an Order Granting Final
13 Approval of Class Action Settlement, or if the Effective Date, as defined in the Settlement, does not
14 occur for any reason whatsoever, the Settlement and the proposed Settlement that is the subject of this
15 Order, and all evidence and proceedings had in connection therewith, shall be restored without
16 prejudice to the *status quo ante*, pursuant to the terms set forth in the Settlement.

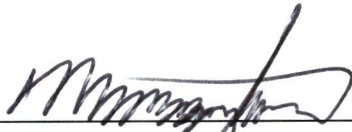
17 11. **IT IS FURTHER ORDERED** that the Final Approval Hearing and a hearing on
18 Plaintiffs' Motion for Attorneys' Fees and Costs shall both be held before the undersigned at
19 9:00am [hearing time] on 8-14-2026 [hearing date], in this Department.

20 12. At the Final Approval Hearing, the Court will consider the fairness, adequacy, and
21 reasonableness of the proposed Settlement preliminarily approved in this Order and notice process to
22 be effectuated, and to consider the application for a class representative service payments to the class
23 representatives, the administration expenses, attorneys' fees, and costs.

1 13. The Court reserves the right to continue the Final Approval Hearing without further
2 notice to the class. However, if written objections are submitted, class counsel is ordered to serve
3 notice on any such objecting class member of the new date and time of the Final Approval Hearing.
4

5 **IT IS SO ORDERED.**

6
7 Date: March 16, 2026



The Honorable ~~Joel R. Wohlfeil~~
Judge of the Superior Court

MICHAEL D. WASHINGTON