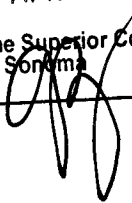


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FILED

APR 15 2026

Clerk of the Superior Court of California
County of Sonoma
By  Deputy Clerk

8
9
10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **COUNTY OF SONOMA**

12 JUAN ANTONIO LOPEZ, in his
13 representative capacity, on behalf of the State
of California, the general public and all
aggrieved employees,

14 Plaintiff,

15 v.

16 FOLEY FAMILY WINES, INC., a Delaware
17 corporation authorized to do business in
18 California; and DOES 1 through 50 inclusive,

19 Defendant.

Case No.: SCV-269094

*[Assigned for all purposes to the Hon. Dana B.
Simonds, Department 18]*

CLASS AND REPRESENTATIVE ACTION

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

Date: April 15, 2026
Time: 3:00 p.m.
Dept: 18
Judge: Hon. Dana B. Simonds

[Filed concurrently with the Notice of Motion;
Memorandum of Points and Authorities; and the
Declarations of Hali Anderson, Juan Antonio
Lopez, Alexander Read, and Sean Hartranft]

Complaint Filed: August 18, 2021
FAC Filed: September 28, 2022
SAC Filed: January 24, 2025
Trial Date: April 3, 2026

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 The Unopposed Motion for Preliminary Approval of a Class Action and PAGA Settlement
3 came before this Court, on April 15, 2026, in Department 18 before the Honorable Dana B.
4 Simonds, presiding. The Court having considered the papers submitted in support of the application
5 of the parties, **HEREBY ORDERS THE FOLLOWING:**

6 1. The Court approves the filing of Plaintiff Lopez's Third Amended Complaint.

7 2. The original of the proposed Third Amended Complaint will be submitted for filing
8 following the signing of this order.

9 3. The Court grants preliminary approval of the Settlement based upon the terms set
10 forth in the Class Action and PAGA Settlement Agreement ("Settlement Agreement") filed
11 herewith. All terms used herein shall have the same meaning as defined in the Settlement
12 Agreement.

13 4. The Court preliminarily finds that the Settlement, which provides for a Gross
14 Settlement Amount of \$2,000,000, is fair, adequate and reasonable to the Class. The Settlement
15 falls within the range of reasonableness and appears to be presumptively valid, subject only to any
16 objections that may be raised at the final fairness hearing and final approval by this Court. It further
17 appears that investigation and research have been conducted such that counsel for the Parties are
18 able to reasonably evaluate their respective positions. It further appears to the Court that settlement
19 at this time will avoid substantial additional costs by all Parties, as well as avoid the delay and risks
20 that would be presented by the further prosecution of the Action. It further appears that the
21 Settlement has been reached as the result of intensive, serious and non-collusive, arms-length
22 negotiations. The Parties are ordered to carry out the settlement according to the terms of the
23 Settlement Agreement and in conformity with this Order. The Court has reviewed the monetary
24 recovery that is being granted as part of the Settlement and preliminarily finds that the monetary
25 settlement awards made available to Class Members is fair, adequate, and reasonable when
26 balanced against the probable outcome of further litigation relating to certification, liability, and
27 damages issues.

28 5. A final fairness hearing on the question of whether the proposed Settlement,
attorneys' fees and costs to Class Counsel, costs of administration and the Class Representatives'

1 Service Payments should be finally approved as fair, reasonable and adequate as to the members of
2 the Class is scheduled in Department 18 on the date and time set forth in the implementation
3 schedule below.

4 6. This Court preliminarily approves, as to form and content, the Court Approved
5 Notice of Class Action and PAGA Settlement and Hearing Date for Final Court Approval ("Class
6 Notice"). The Court approves the procedure for Class Members to opt out of, or to object to, the
7 Settlement as set forth in the Class Action and PAGA Settlement Agreement, and the Class Notice.

8 7. The Court directs the mailing of the Class Notice by first class mail to Class
9 Members in accordance with the implementation schedule set forth below. The Court finds the
10 dates selected for the mailing and distribution of the Class Notice, as set forth in the implementation
11 schedule below, meet the requirements of due process and provide the best notice practicable under
12 the circumstances and shall constitute due and sufficient notice to all persons entitled thereto.

13 8. Specifically, the Class Notice fairly, plainly, accurately, and reasonably informs
14 Class Members of the following: (1) the nature of the Action, the definition of the Class, the identity
15 of Class Counsel, and the essential terms of the Settlement, including the plan of allocation; (2) the
16 Class Representatives' Enhancement Payments and Class Counsel's request for attorneys' fees and
17 litigation costs; (3) a formula used to determine the Class Member's estimated Individual Class and
18 PAGA payment; (4) how to participate in the Settlement; (5) how to object to the Settlement or to
19 opt-out if a Class Member wishes to do so, and advises Class Members of their right to appear
20 through counsel if they desire; and (6) how to obtain additional information regarding the Action
21 and the Settlement. (California Rule of Court 3.766.) The Court finds that the notice requirements
22 of California Rule of Court 3.769(e) and (f) are satisfied, and that the Notice adequately advises
23 Class Members of their rights under the Settlement. Counsel for the Parties are authorized to correct
24 any typographical errors in the Notice Packet and to make clarifications, to the extent the same are
25 found or needed, so long as such corrections do not materially alter the substance of the documents.
26 The Court orders the mailing of the Class Notice in accordance with the procedures set forth in the
27 Settlement Agreement.

28 9. For Settlement purposes only, the Court conditionally certifies the following Class:
"All current and former non-exempt employees of Defendant who worked for Defendant in the

1 State of California at any time during the Class Period of August 18, 2017, through [April 20, 2026]
2 or [the date of Preliminary Approval], whichever occurs first” The Settlement Class, however, shall
3 not include any employees who have already signed severance or settlement agreements releasing
4 the same claims and specifically, all claims released through the settlement in *Octavio Abarca-*
5 *Rueda v. Foley Family Wines, Inc.*, Sonoma County Superior Court Case No. SCV-268148, or any
6 person who submits a timely and valid Request for Exclusion as provided in this Settlement.

7 10. The Court also preliminarily approves for Settlement purposes only that PAGA
8 Employees are the following: “current or former non-exempt employee of Defendant who was
9 employed by Defendant in the state of California at any time during the PAGA Period of June 13,
10 2020, through [April 20, 2026], or [the date of Preliminary Approval], whichever occurs first.”

11 11. The Court concludes that, for Settlement purposes only, the Class meets the
12 requirements for certification under Section 382 of the California Code of Civil Procedure in that:
13 (a) the Class is ascertainable and so numerous that joinder of all Class Members is impracticable;
14 (b) common questions of law and fact predominate, and there is a well-defined community of
15 interest amongst the Class Members with respect to the subject matter of the litigation; (c) the
16 claims of the Named Plaintiffs are typical of the claims of the Class Members; (d) the Class
17 Representatives will fairly and adequately protect the interests of the Class Members; (e) a class
18 action is superior to other available methods for the efficient adjudication of this controversy; and
19 (f) counsel for the Class is qualified to act as counsel for the Class.

20 12. The Court preliminarily approves Plaintiffs Juan Antonio Lopez and Alexander
21 Read as Class Representatives.

22 13. The Court preliminarily approves the appointment of Plaintiffs’ counsel, Hali M.
23 Anderson and Ommar Chavez of ARCH Legal, PC as Class Counsel. Class Counsel is authorized
24 to act on behalf of Class Members with respect to all acts or consents required by, or which may be
25 given pursuant to, the Settlement Agreement, and such other acts reasonably necessary to
26 consummate the Settlement Agreement. Any Class Member may enter an appearance through
27 counsel of such individual’s own choosing and at such individual’s own expense. Any Class
28 Member who does not enter an appearance or appear on his or her own will be represented by Class
Counsel.

1 14. The Court confirms the appointment of Apex Class Action, LLC as the Settlement
2 Administrator.

3 15. The Court orders the following implementation schedule for further proceedings:

EVENT	DATE
Deadline for Defendant to Submit Class Data to Settlement Administrator	Within 7 calendar days after Court grants Preliminary Approval
Deadline for Settlement Administrator to Mail Class Notice to Class Members	Within 21 calendar days after Settlement Administrator receives Class Data
Deadline for Class Members to Postmark Requests for Exclusion	30 calendar days after mailing of Class Notice, plus an additional 14 calendar days for Class Notices that have been re-mailed
Deadline for Class Members to Postmark any Objections to Settlement	30 calendar days after mailing of Class Notice, plus an additional 14 calendar days for Class Notices that have been re-mailed
Deadline for Class Counsel to file Motion for Final Approval of Settlement, including Request for Attorneys' Fees, Costs and Service Payments	16 Court days before Final Approval Hearing
Deadline for Settlement Administrator to Provide Class Counsel Declaration of Due Diligence and Compliance	14 calendar days before Class Counsel's deadline to File Motion for Final Approval of Settlement
Deadline for Defendant to provide written of its choice to withdraw from Settlement to Class Counsel (if applicable)	7 calendar days after Settlement Administrator provides Exclusion List to Defendant, if the number of opt-outs exceeds 5% of Class Members]
Final Fairness Hearing and Final Approval	August 26, 2026, or as soon thereafter as practicable by the Court
Deadline for Defendant to fund Settlement	15 calendar days after Effective Date

Deadline for Settlement Administrator to mail the Individual Class Payments, Individual PAGA Payments, Service Payments, LWDA PAGA Payment, and to wire transfer Class Counsel Fees Payment and Class Counsel Expense Payment (if Settlement is Effective)	21 calendar days after Defendant funds the Gross Settlement Amount
Deadline for Class Members to cash Individual Class Payments and Individual PAGA Payments	180 calendar days after Settlement Administrator mails Individual Class Payments and Individual PAGA Payments

16. The Court reserves the right to adjourn or continue the date of the final approval hearing and all dates provided for in the Settlement Agreement without further notice to Class Members and retains jurisdiction to consider all further applications arising out of or connected with the proposed Settlement.

17. As of the date this Order is signed, all dates and deadlines associated with the Action shall be stayed, other than those contemplated herein and in the Settlement Agreement, and pertaining to the administration of Settlement of the Action.

IT IS SO ORDERED.

Dated: APR 15 2026


 HONORABLE DANA B. SIMONDS
 JUDGE OF THE SUPERIOR COURT

PROOF OF SERVICE BY MAIL OR ELECTRONIC MAIL

I certify that I am an employee of the Superior Court of California, County of Sonoma, and that my business address is 3055 Cleveland Avenue, Santa Rosa, CA 95403; that I am not a party to this cause; that I am over the age of 18 years; that I am readily familiar with this office's practice for collection and processing of correspondence for mailing with the United States Postal Service; and that on the date shown below I placed a true copy of the following document: *Order Granting Preliminary Approval Class Action and PAGA Settlement* in an envelope, sealed and addressed as shown below, for collection and mailing at Santa Rosa, California, first class, postage fully prepaid, following ordinary business practices or I electronically served by email to the person and electronic service email address listed below.

Date: April 27, 2026

Robert Oliver,
Clerk of the Court

By: Griselda Zavala
Griselda Zavala, Deputy Clerk

ELECTRONIC SERVICE ADDRESSES

HALI MICHELLE ANDERSON: handerson@archlegal.com