

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

**APR 23 2026**

  
BY: Brenda Perez-Cordero, Deputy

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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **FOR THE COUNTY OF SAN BERNARDINO**

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13 JESSICA GARCIA, RUDY JIMENEZ,  
14 individually and on behalf of other individuals  
similarly situated,

15 Plaintiffs,

16 v.

17 THE MERCHANT OF TENNIS, INC., a  
18 California corporation, dba U.S. Merchants, and  
19 DOES 1 through 100,

20 Defendants.

Case No. CIVDS2005614

*[Assigned for all purposes to Hon. Joseph B. Widman, Dept. S36-SBJC]*

**~~PROPOSED~~ ORDER GRANTING  
PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT**

Date: April 23, 2026  
Time: 9:00 a.m.  
Dept.: S36-SBJC

Complaint Filed: February 26, 2020  
Trial Date: None Set

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1 The Motion of Plaintiffs Jessica Garcia and Jose Hernandez Solis (“Plaintiffs”) for  
2 Preliminary Approval of Class Action Settlement came on regularly for hearing before this Court  
3 on April 23, 2026 at 9:00 a.m. This Court, having considered the proposed Class Action and  
4 PAGA Settlement Agreement (the “Settlement”) attached to the Declaration of Paul K. Haines  
5 filed concurrently herein; having considered Plaintiffs’ Motion for Preliminary Approval of Class  
6 Action Settlement, Memorandum of Points and Authorities in support thereof, and supporting  
7 declarations filed therewith; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

8 1. The Court GRANTS preliminary approval of the class action settlement as set  
9 forth in the Settlement and finds its terms to be within the range of reasonableness of a settlement  
10 that ultimately could be granted approval by the Court at a Final Fairness Hearing. For purposes  
11 of the Settlement, the Court finds that the proposed Settlement Class is ascertainable and that  
12 there is a sufficiently well-defined community of interest among the members of the Settlement  
13 Class in questions of law and fact. Therefore, for settlement purposes only, the Court grants  
14 conditional certification of the following Settlement Class:

15 All non-exempt, hourly employees who worked for Defendant The  
16 Merchant of Tennis, Inc. in California at any time from June 8, 2019  
through December 10, 2025 (the “Class Period”).

17 2. For purposes of the Settlement, the Court designates named Plaintiffs Jessica  
18 Garcia and Jose Hernandez Solis as Class Representatives, and designates Paul K. Haines, Sean  
19 M. Blakely, and Alexandra R. McIntosh of Haines Law Group, APC and Marcus J. Bradley and  
20 Kiley L. Grombacher of Bradley/Grombacher, LLP as Class Counsel.

21 3. The Court designates Apex Class Action LLC as the third-party Settlement  
22 Administrator for mailing notices.

23 4. The Court approves, as to form and content, the Notice of Settlement of Class  
24 Action (the “Class Notice”), attached as Exhibit 1 to the Settlement.

25 5. The Court finds that the form of notice to the Settlement Class regarding the  
26 pendency of the action and of the Settlement, and the methods of giving notice to members of the  
27 Settlement Class, constitute the best notice practicable under the circumstances, and constitute  
28 valid, due, and sufficient notice to all of the Class Members. The form and method of giving

1 notice complies fully with the requirements of California Code of Civil Procedure section 382,  
2 California Civil Code section 1781, California Rules of Court 3.766 and 3.769, the California and  
3 United States Constitutions, and other applicable law.

4 6. The Court further approves the procedures for the Class Members to opt out of or  
5 object to the Settlement, as set forth in the Class Notice.

6 7. The procedures and requirements for filing objections in connection with the Final  
7 Fairness Hearing are intended to ensure the efficient administration of justice and the orderly  
8 presentation of any Class Member's objection to the Settlement in accordance with the due  
9 process rights of all members of the Settlement Class.

10 8. The Court directs the Settlement Administrator to mail the Class Notice to the  
11 members of the Settlement Class in accordance with the terms of the Settlement.

12 9. The Class Notice shall provide at least sixty (60) calendar days' notice for  
13 Settlement Class members to opt out of, or object to, the Settlement.

14 10. The Final Fairness Hearing on the question of whether the Settlement should be  
15 finally approved as fair, reasonable, and adequate is scheduled in Department S36 of this Court,  
16 located at 247 West 3rd Street, San Bernardino, California 92415 on 10/26/26,  
17 2026 at 9:00 a.m. / p.m.

18 11. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement  
19 should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether  
20 a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiffs'  
21 application for reasonable attorneys' fees, reimbursement of litigation expenses, Class  
22 Representative Service Payments to Plaintiffs, and settlement administration costs should be  
23 granted.

24 12. Counsel for the parties shall file memoranda, declarations, or other statements and  
25 materials in support of their request for final approval of the Settlement, attorneys' fees, litigation  
26 expenses, Plaintiffs' service payments, and settlement administration costs, prior to the Final  
27 Fairness Hearing according to the time limits set by the Code of Civil Procedure and the California  
28 Rules of Court.

1 13. An implementation schedule is below:

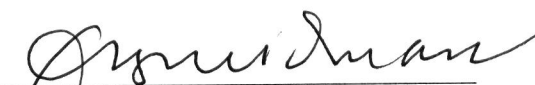
Event	Date
Defendant to provide Class Data to the Settlement Administrator no later than [30 days after preliminary approval]:	May 25, 2026
Settlement Administrator to mail the Class Notice to Settlement Class members no later than [14 calendar days after receiving Class Data]:	June 8, 2026
Deadline for Settlement Class members to request exclusion from, or object to, the Settlement [60 calendar days after mailing]:	August 7, 2026
Deadline for Plaintiffs to file their Motion for Final Approval of Class Action Settlement:	September 4, 2026
Final Fairness Hearing:	10/26/26, 2026 @ 9:00am

11 14. Pending the Final Fairness Hearing, all proceedings in this action, other than  
12 proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this  
13 Order, are stayed.

14 15. Counsel for the parties are hereby authorized to utilize all reasonable procedures  
15 in connection with the administration of the Settlement which are not materially inconsistent with  
16 either this Order or the terms of the Settlement.

17 **IT IS SO ORDERED.**

18 Dated: 4/23, 2026

19   
20 Hon. Joseph B. Widman  
21 Judge of the Superior Court

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