

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

JUL 13 2026

DAVID H. YAMASAKI, Clerk of the Court

BY: M. NEVAREZ, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

FRANCISCO GONZALEZ RUVALCABA,
individually and on behalf of others similarly
situated, and as an aggrieved employee and
Private Attorney General,

Plaintiff,

vs.

MODIFIED PLASTICS, INC., a California
corporation; COLOR SCIENCE, INC., a
California corporation; and DOES 1 through
50, inclusive,

Defendants.

Case No.: 30-2023-01342909-CU-OE-CXC

Assigned for all purposes to: Hon. David A.
Hoffer, Dept. CX103

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

Complaint Filed: August 17, 2023

FAC Filed: October 23, 2023

Trial Date: None

[PROPOSED] ORDER

The Motion of Plaintiff Francisco Gonzalez Ruvalcaba ("Plaintiff") for Preliminary Approval of Class Action and PAGA Settlement ("Motion") came regularly for hearing before this Court on December 29, 2025. The Court, having considered the proposed Joint Stipulation of Class Action and PAGA Settlement attached as Exhibit 2 to the Declaration of Ryan Chuman ROA 88 and the First Amendment to the Joint Stipulation of Class Action and PAGA Settlement attached to the Declaration of Heather Davis ROA 116 as Exhibit 2. ; having considered Plaintiff's Motion for Preliminary Approval of Class Action Settlement, memorandum of points and authorities in support thereof, and supporting declaration 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 on a preliminary basis that the settlement is fair, adequate, and reasonable, and in the best interests of the class. All terms used herein shall have the same meaning as defined in the Settlement Agreement. The Joint Stipulation of Class Action and PAGA Settlement is attached hereto as Exhibit A. The First Amendment to the Joint Stipulation of Class Action and PAGA Settlement is attached hereto as Exhibit B. 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 hourly-paid, non-exempt employees of Defendants Modified Plastics, Inc., Color Science, Inc., and Plastics Analytical Laboratory Inc. ("Defendants") who were employed by Defendants in the State of California at any time from August 17, 2019, through December 14, 2025

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

3. The Court designates Apex Class Action, LLC as the third-party Settlement Administrator.

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

3 5. The Court approves, as to form and content, the proposed Notice of Class Action
4 Settlement, Request for Exclusion Form, and Objection Form attached hereto as Exhibits C-E.

5 6. The Court finds that the form of notice to the Class regarding the pendency of the
6 action and of the Settlement, the dates selected for mailing and distribution, and the methods of
7 giving notice to members of the Class, satisfy the requirements of due process, constitute the best
8 notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all
9 members of the Class. The form and method of giving notice complies fully with the requirements
10 of California Code of Civil Procedure § 382, California Civil Code § 1781, California Rules of
11 Court §§ 3.766 and 3.769, the California and United States Constitutions, and other applicable
12 law.

13 7. The Court further approves the procedures for Class Members to opt-out of or
14 object to the Settlement, as set forth in the Notice and the Settlement Agreement. The procedures
15 and requirements for filing objections in connection with the final fairness hearing are intended to
16 ensure the efficient administration of justice and the orderly presentation of any Class Member's
17 objection to the Settlement, in accordance with the due process rights of all Class Members.

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

20 9. The Notice shall provide 60 calendar days' notice for Class Members to submit
21 disputes, opt-out of, or object to the Settlement.

22 10. The hearing on Plaintiff's Motion for Final Approval of Settlement on the question
23 of whether the Settlement should be finally approved as fair, reasonable, and adequate is scheduled
24 in Department CX-103 of this Court, located at 751 West Santa Ana Boulevard, Santa Ana,
25 California 92701, on December 14, 2026, at 1:30p.m.

26 11. At the Final Fairness hearing, the Court will consider: (a) whether the Settlement
27 should be approved as fair, reasonable, and adequate for the Class; (b) whether a judgment granting
28 final approval of the Settlement should be entered; and (c) whether Plaintiff's application for an

enhancement payment, settlement administration costs, and Class Counsel's attorney's fees and costs, should be granted.

12. The Court preliminarily approves the following Settlement terms:

- a. The Gross Settlement Amount of \$750,000.00
- b. The PAGA Payment of \$50,000.00 with 75% distributed to the LWDA and 25% distributed to the PAGA Members
- c. Attorneys fees in an amount not to exceed \$250,000.00
- d. Attorneys costs in an amount not to exceed \$30,000.00
- e. Settlement Administration costs in an amount not to exceed \$5,500.00
- f. The Class Representative Enhancement Payment in an amount not to exceed \$7,500.00

13. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of Plaintiff's application for an enhancement payment, settlement administration costs, Class Counsel's attorneys' fees and costs, prior to the hearing on Plaintiff's Motion for Final Approval of Settlement according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

14. An implementation schedule is below:

Event	Date
Defendant to provide class contact information to Settlement Administrator no later than:	[14 days following preliminary approval]
Settlement Administrator to mail the Notice to the Class no later than:	[14 days following provision of contact information]
Deadline for Class Members to submit disputes, request exclusion from, or object to the Settlement:	[60 days after mailing of the Notice]

1 Deadline for Plaintiff to file Motion for Final Approval
2 of Class Action Settlement:

November 18, 2026
[16 court days before the Final
Approval Hearing]

4 Hearing on Motion for Final Approval of Settlement

December 14, 2026, at 1:30 p.m.

6 15. Pending the Final Fairness hearing, all proceedings in this action, other than
7 proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this
8 Order, are stayed.

9 16. The Court shall retain jurisdiction to enforce the settlement pursuant to Civil
10 Procedure Code section 664.6.

12 **IT IS SO ORDERED.**

14
15 DATED: 7/13/26

By: 

JUDGE OF THE SUPERIOR COURT