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

MARIA ESTHER HUNTER, individually, and
on behalf of all others similarly situated,

Plaintiff,

v.

WEIBEL INCORPORATED DBA WEIBEL
FAMILY VINEYARDS & WINERY, a
corporation; FRED WEIBEL, JR., an
individual; RB WINE ASSOCIATES, LLC
DBA RACK & RIDDLE, a limited liability
company, and DOES 1 through 10, inclusive,

Defendants.

Case No.: STK-CV-UOE-2024-0000950

[Assigned to the Hon. Robert T. Waters,
Dept. 11B]

RTW
**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF THE
CLASS ACTION SETTLEMENT**

PRELIMINARY APPROVAL HEARING

Date: 09.01.2024

Time: 9:00 AM

Dept: 11B

Complaint filed: January 25, 2024

Trial date: Not Set

PROPOSED ORDER

The Court has before it Plaintiff Maria Esther Hunter's ("Plaintiff" or "Class Representative") Motion for Preliminary Approval of Class Action Settlement (the "Motion") between Plaintiff and Defendants Weibel Incorporated dba Weibel Family Vineyards & Winery, and Fred Weibel, Jr. ("Defendants") (collectively, the "Parties"). Having reviewed the Motion and related records, the Class Action Settlement Agreement (the "Agreement"), and good cause appearing, the Court hereby finds and orders as follows:

1. For settlement purposes, the Court provisionally certifies the Class, defined as: all persons who performed work for Defendants in California during the Class Period from July 31, 2019, through November 5, 2025, including current and former employees ("Class Members" and the "Class").

2. The Court preliminarily finds that the terms of the Agreement appear to be within the range of possible approval, pursuant to Code of Civil Procedure section 382 and applicable law. The Court finds on a preliminary basis that: (1) the Settlement is fair, just, reasonable, and adequate when balanced against the probable outcome of further litigation relating to class certification, liability and damages issues, and potential appeals; (2) significant informal discovery, investigation, research, and litigation have been conducted such that counsel for the Parties at this time are able to reasonably evaluate their respective positions; (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented by the further litigation; and (4) the proposed Settlement has been reached as the result of intensive, serious, and non-collusive negotiations between the Parties with the assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds that the Settlement was entered into in good faith. The Court grants preliminary approval of the Settlement and the Class based upon the terms set forth in the Agreement. A true and correct copy of the Agreement is attached as Exhibit 1 to the Declaration of Alan Wilcox filed in support of the Motion.

3. The Court finds, for settlement purposes only, that the Class meets the requirements for certification under Code of Civil Procedure section 382 because: (1) Class Members are so numerous that joinder is impractical; (2) there are questions of law and fact that

are common, or of general interest, to all Class Members, that predominate over individual issues; (3) Plaintiff's claims are typical of Class Members' claims; (4) Plaintiff and Class Counsel will fairly and adequately protect Class Members' interests; and (5) a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

4. The Court appoints Plaintiff as Class Representative, for settlement purposes only. The Court further preliminarily permits Plaintiff to seek a service payment in the final approval motion.

5. The Court appoints, for settlement purposes only, Benjamin H. Haber, Talar DerOhannessian, Samantha Costa, and Alan Wilcox of Wilshire Law Firm, PLC as "Class Counsel." The Court further preliminarily permits Class Counsel to request attorneys' fees and costs incurred in the final approval motion.

6. The Court appoints Apex Class Action, LLC as the "Administrator" with Administration Costs estimated not to exceed \$4,990.00.

7. The Settlement falls within the range of reasonableness of a settlement that could ultimately be given final approval by this Court and appears to be presumptively valid, subject only to any objections that may be raised at the final approval hearing and final approval by this Court. The Court notes that Defendants have agreed to create a non-reversionary common fund of \$350,000.00 (the "Gross Settlement Amount") to cover payments to Class Members who do not validly opt out as follows:

Gross Settlement Amount:	\$350,000.00
Class Representative Service Payment:	Not to exceed \$10,000.00
Class Counsel Fees Payment (one-third of the Gross Settlement Amount):	Not to exceed \$116,666.67
Class Counsel Litigation Expenses Payment:	Not to exceed \$20,000.00
Administration Costs to the Administrator:	Not to exceed \$4,990.00

1	Estimated Net Settlement Amount to the	\$198,343.33
2	Class:	

3 8. The Court approves, as to form and content the class notice, attached as **Exhibit**
4 **A** to the Agreement ("Class Notice"). The Court finds on a preliminary basis that the plan for
5 distribution of the Class Notice to Class Members satisfies due process, provides the best notice
6 practicable under the circumstances, and shall constitute due and sufficient notice to all persons
7 entitled thereto.

8 9. The Parties are ordered to carry out the Settlement according to the terms of the
9 Agreement.

10 10. The Court hereby orders the Parties to comply with the following implementation
11 schedule:

12	Defendants to Provide Class List to the	
13	Administrator:	Within 7 days of the date of this Order
14	Administrator to Mail the Class Notice of	
15	Settlement to the Class:	Within 14 days of receipt of the Class List from the Defendants
16		
17	Class Response Deadline:	45 days after Class Notice of Settlement is mailed out by the Administrator, plus 14 additional days for any returned and re- mailed notices
18		
19		
20	Deadline to File the Motion for Final	16 court days before the Final Approval
21	Approval:	Hearing
22		
23	Final Approval Hearing:	<u>March 2, 2027</u> , at <u>9:00</u> a.m., in the above-entitled Court and Department. The Court may reschedule the hearing.
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25		

26 11. The Court further orders that, pending further order of this Court, all proceedings in
27 this action, except those contemplated herein and in the Agreement, are stayed.

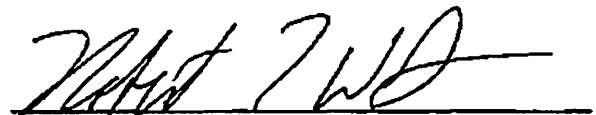
28 12. Without affecting the finality of this Order in any way, and in accordance with Code

1 of Civil Procedure section 664.6, this shall Court retain continuing jurisdiction over the
2 implementation, interpretation, and enforcement of the Settlement with respect to all Parties to this
3 action, their counsel, and the Administrator.

4 13.

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8 IT IS SO ORDERED.

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10 Date: 9/1/2026

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12 Hon. Robert T. Waters
13 Judge of the Superior Court
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