EFILE 8/28/26 CM

FILED
OCT 28 2026
Clerk of the Napa Superior Court
By: _____ Deputy

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Attorneys for Plaintiff MOISES MARTINEZ SANTA CRUZ

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF NAPA

MOISES MARTINEZ SANTA CRUZ, individually, and on behalf of all others similarly situated, and on behalf of other aggrieved employees pursuant to the California Attorneys General Act ("PAGA");

Plaintiff,

vs.

BARBOUR VINEYARDS MANAGEMENT, LLC, a California limited liability company; BARBOUR VINEYARDS, LLC, a California limited liability company; and DOES 1 through 10, inclusive,

Defendants

Case No.: 24CV002304

Assigned for All Purposes to:
Hon. Joseph J. Solga, Dept B

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

Hearing Information:

Date: September 30, 2026
Time: 8:30 a.m.
Dept.: B

RECEIVED
OCT 19 2026
Napa Superior Court

PLEASE TAKE NOTICE THAT on September 30, 2026, at 8:30 a.m., the Motion for Preliminary Approval of Class Action Settlement filed by Plaintiff Moises Martinez Santa Cruz ("Martinez"), on behalf of themselves and a Settlement Class, and not opposed by Defendants Barbour Vineyards Management, LLC, and Barbour Vineyards, LLC ("Defendants"), came on for hearing in Department B of the Napa County Superior Court, located at 825 Brown St., Napa, CA 94559. After full consideration of the evidence, the pleadings and papers filed by the parties in connection therewith, arguments of counsel and all other matters presented to the Court, and good cause having been shown, IT IS HEREBY ORDERED that Plaintiff's Motion for Preliminary Approval of Class Action Settlement is GRANTED based on the conditions below.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. This Order incorporates by reference the definitions in the Settlement Agreement ("Agreement" or "Settlement Agreement"), and all terms defined therein shall have the same meaning in this Order as set forth in the Settlement Agreement attached as **Exhibit 1** to the Declaration of Tiffany Hyun filed concurrently herewith.

2. The Court recognizes that the parties stipulate and agree to certification of a class for settlement purposes only. For settlement purposes only, the Court conditionally certifies the following settlement class (the "Class Members" or "Settlement Class"): "all persons who worked for Defendants in California as hourly, non-exempt employees at any time during the Class Period." The "Class Period" means the period December 27, 2020 through the date the Court grants preliminary approval of the settlement, subject to Paragraph 8 of the Agreement.

3. The Class also includes "PAGA Members," which is defined as "PAGA Members" means: "all persons who worked for Defendants in California as hourly, non-exempt employees at any time during the PAGA Period." The "PAGA Period" means the period from December 26, 2023, through the date the Court grants preliminary approval of the settlement, or as modified pursuant to Paragraph 8 of the Agreement.

4. The Court finds, for settlement purposes only, the requirements of California Code of Civil Procedure section 382 are satisfied. The term "Participating Class Member" means a Class Member who does not submit a valid and timely opt-out of the Settlement.

5. Plaintiff is hereby appointed and designated, for all purposes, as the representative of the class, and the following attorneys are hereby appointed and designated as counsel for Plaintiff and the Class ("Class Counsel"):

Seung Yang (SBN 249857)
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Tiffany Hyun (SBN 311743)
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Class Counsel is authorized to act on behalf of Class Members with respect to all acts or consents required by, or which may be given pursuant to, the Settlement, and such other acts reasonably necessary to consummate the Settlement. Any Class Member may enter an appearance through counsel of such Class Member's own choosing and at such Class Member's own expense. Any Class Member who does not enter an appearance or appear on his or her own will be represented by Class Counsel.

6. The Court hereby approves on a preliminary basis the Settlement Agreement as appearing on its face to be fair, reasonable, and adequate and to have been the product of serious, informed, and extensive negotiations among Plaintiff, Defendant, and their respective counsel.

7. A final approval hearing shall be held before this Court on April 14, 2027 at 8:30 in Department B of the Napa County Superior Court, located at 825 Brown St., Napa, California 94559, to determine all necessary matters concerning the Settlement, including: whether the proposed settlement of the Action on the terms and conditions provided for in the Settlement Agreement is fair, adequate and reasonable and should be finally approved by the Court; whether a Judgment, as provided in the Settlement, should be entered herein; whether the plan of allocation

contained in the Settlement Agreement should be approved as fair, adequate and reasonable to the Class Members; and to finally approve Class Counsels' Fees and Costs Award, the Class Representative Enhancement Payments, the PAGA payment to the LWDA and the settlement administration expenses. The Final Approval hearing may be continued without further notice.

8. The Parties shall file a Motion for Final Approval on or before sixteen (16) court days prior to the hearing.

9. The Court hereby appoints Apex Class Action Administration as Settlement Administrator and hereby directs the Settlement Administrator to mail or cause to be mailed to Class Members (including the Aggrieved Employees) the Notice by first class mail within fourteen (14) calendar days after the receipt of the Class Data from Defendants using the procedures set forth in the Settlement Agreement. Class Members who do not opt out of the non-PAGA portion of the settlement will become Participating Class Members and will automatically receive their Individual Settlement Payment.

10. The Court hereby approves, as to form and content, the Notice of Class Action Settlement and Hearing Date for Final Court Approval attached as **Exhibit 4** to the Declaration of Tiffany Hyun filed concurrently herewith. The Court finds that the distribution of the Notice of Class Action Settlement substantially in the manner and form set forth in the Settlement Agreement and this Order meets the requirements of due process, is the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

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

IT IS SO ORDERED.

Dated: 10-26-2026

JUDGE OF THE SUPERIOR COURT

PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; the address from which I served the document listed below is 707 Wilshire Blvd., Suite 4700, Los Angeles, California 90071. On August 28, 2026, I served the foregoing document described as:

[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

☒ **BY EMAIL:** by transmitting a facsimile transmission a copy of said document(s) to the following email addressee(s), in accordance with:

☒ the written confirmation of counsel in this action:

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 28, 2026, at Los Angeles, California.

Mellinda Hensley
Name

Signature