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FILED
OCT 30 2026
Clerk of the Napa Superior Court
By: _____ Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF NAPA

MICHAEL PAUL SHERIDAN, individually, on behalf of all others similarly situated, and on behalf of the State of California and other aggrieved persons,

Plaintiff,

v.

HEITZ CELLAR LLC, a California limited liability company; LAWRENCE WINE ESTATES LLC, a California limited liability company; and DOES 1 through 10, inclusive,

Defendants.

Case No.: 23CV000136

[~~Assigned for all purposes to the Hon. Cynthia P. Smith, Dept. A~~]

[~~PROPOSED~~] ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF THE CLASS ACTION AND PAGA SETTLEMENT

PRELIMINARY APPROVAL HEARING
Date: October 29, 2026
Time: 9:30 a.m.
Dept: A

Complaint filed: January 30, 2023
FAC filed: April 21, 2023
Trial date: None set

CRS

~~[PROPOSED]~~ **ORDER**

The Court has before it Plaintiff Michael Paul Sheridan's ("Plaintiff") Motion for Preliminary Approval of Class Action and PAGA Settlement (the "Motion"). Having reviewed the Motion and related records, the Class Action and PAGA Settlement Agreement and Class Notice ("Agreement"), and good cause appearing, the Court hereby finds and **ORDERS** as follows:

1. The Court preliminarily finds that the terms of the Settlement 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, adequate, and reasonable to the Class 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 evaluate their respective positions reasonably and intelligently; 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 adversarial and arm's-length negotiations between the Parties with the assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds that the Agreement was entered into in good faith. The Court grants preliminary approval of the Settlement and the Class (as defined below) based upon the terms set forth in the Agreement between Plaintiff and Defendants Heitz Cellar LLC and Lawrence Wine Estates LLC ("Defendants") (collectively, the "Parties"). A true and correct copy of the Agreement is attached as **Exhibit 2** to the Declaration of Karen L. Wallace filed in support of Plaintiff's Motion. A true and correct copy of the Notice of Class Action Settlement and Hearing Date for Final Court Approval ("Class Notice") is attached thereto as **Exhibit A**.

2. For settlement purposes, the Court provisionally certifies a Class of all persons who were employed by Defendants in California as hourly-paid or non-exempt employees during the Class Period, from August 5, 2018, to August 4, 2025 ("Class Members").

3. The Court finds that the Class meets the requirements for certification under Code

of Civil Procedure section 382 for purposes of settlement 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 the interests of the Class; 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, and preliminarily approves Plaintiff's request for a Class Representative Service Payment in an amount not to exceed $10,000.

5. The Court appoints, for settlement purposes only, Benjamin H. Haber, Daniel J. Kramer, and Angela Leong of Wilshire Law Firm, PLC as "Class Counsel." The Court preliminarily approves Plaintiff's request for a Class Counsel Fees Payment in an amount not to exceed $116,666.67 (one-third (1/3) of the Gross Settlement Amount, *infra*) and a Class Counsel Litigation Expenses Payment in an amount not to exceed $35,000 for reasonable costs incurred.

6. The Court appoints Apex Class Action, LLC as the Administrator and preliminarily approves the request for an Administration Expenses Payment in an amount not to exceed $4,490.

7. The Court approves PAGA Penalties in the amount of $20,000 to settle PAGA claims pursuant to the Private Attorneys General Act ("PAGA"), Lab. Code § 2698, *et seq.*, allocated 75% ($15,000) to the Labor and Workforce Development Agency ("LWDA") and 25% ($5,000) to Aggrieved Employees.

8. 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 ("Gross Settlement Amount") to cover payments, including to Class Members who do not validly opt out ("Participating Class Members"), as follows:

a. Gross Settlement Amount of $350,000.00;

b. Class Representative Service Payment not to exceed $10,000.00;

c. Class Counsel Fees not to exceed $116,666.67;

d. Class Counsel Litigation Expenses not to exceed $35,000.00;

e. Administration Expenses not to exceed $4,490.00;

f. PAGA Penalties of $20,000, allocated 75% ($15,000.00) to the LWDA and 25% ($5,000) to Aggrieved Employees; and

g. Estimated remaining Net Settlement Amount of $163,843.33 to be distributed to Participating Class Members.

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

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

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

Defendants to Provide Class Data to the Administrator:	Not later than 15 days after the date of this Order
Administrator to Mail the Class Notice to Class Members:	No later than 14 days after receipt of the Class Data from the Defendants
Response Deadline:	45 days after Class Notice is mailed by the Administrator, plus 14 additional days for any returned and re-mailed notices
Deadline to File the Motion for Final Approval:	18 court days before the Final Approval Hearing
Final Approval Hearing:	3/2/27, at 830 a.m.,

	in Department A of the above-captioned court. The Court may reschedule the hearing without notice to Class Members.

12. The Court orders further that, pending further order of this Court, all proceedings in this action, except those contemplated herein and in the Settlement, are stayed.

13. Without affecting the finality of this Order in any way, and in accordance with Code of Civil Procedure section 664.6, this shall Court retain continuing jurisdiction over the implementation, interpretation, and enforcement of the Agreement with respect to all Parties to this action, their counsel, and the Administrator.

14. _____

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IT IS SO ORDERED.

Date: 10/29/24

Hon. Cynthia P. Smith
Judge of the Superior Court