

Electronically Filed  
Superior Court of California  
County of Santa Cruz  
January 23, 2025  
Clerk of the Court by Deputy,  
Broughton, Karen

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Attorneys for Plaintiff Pantaleon Avalos Salinas

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SANTA CRUZ

PANTALEON AVALOS SALINAS, on  
behalf of himself and all others similarly  
situated,

Plaintiff,  
vs.

MAR VISTA BERRY FARMS, INC.; and  
DOES 1-10, inclusive,

Defendants.

Complex Class Action

**CASE NO.: 24CV00609**

Filed: February 28, 2024

 **ORDER GRANTING  
PLAINTIFFS' MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

Date: January 15, 2025  
Time: 8:30 am  
Dept: 10  
Judge Hon. Timothy Schmal

The motion of Pantaleon Avalos Salinas ("Plaintiff") for an order granting preliminary approval of the class action settlement reached with Mar Vista Berry Farms, Inc. ("Defendant"), (Plaintiff and Defendant are collectively referred to as the "Parties"), as set forth in the Stipulation Regarding Class Action Settlement and Release of Claims (the "Settlement") submitted herewith, came regularly on for hearing. Good cause having been shown, Plaintiff's motion is GRANTED and IT IS HEREBY ORDERED:

1           1.       The Court finds that all the requirements for class certification under Section 382  
2 of the Code of Civil Procedure are satisfied with respect to, and preliminarily certifies for  
3 settlement purposes, a settlement class comprised of all current and former piece-rate non-  
4 exempt employees who worked for Defendant at any time from February 28, 2020 through  
5 September 6, 2024 (“the Class Period”) in the State of California (“Class Members”) (the  
6 “Settlement Class”).

7           2.       The Court appoints Plaintiff as the class representative of the Settlement  
8 Class for the purposes of settlement.

9           3.       The Court appoints Plaintiff’s counsel, Santos Gomez of the Law Offices of  
10 Santos Gomez and Maria E. Vizzusi of the Law Office of Maria E. Vizzusi, as class counsel for  
11 the Settlement Class for the purposes of settlement.

12          4.       The Court appoints Atticus Administration, LLC as the Settlement Administrator.

13          5.       The Court preliminarily approves the Settlement as fair and reasonable and finds  
14 that the manner for providing class members notice of the Settlement comports with Rule 3.766  
15 of the California Rules of Court and the requirements of due process.

16          6.       The Court approves the form and content of the proposed Class Notice of  
17 Settlement attached as Exhibit A to the Settlement.

18          7.       The Court directs mailing by the Settlement Administrator of the Class Notice of  
19 Settlement by first class mail to the class members in accordance with the terms of the  
20 Settlement.

21          8.       The Court orders that, in accordance with the Settlement, class members shall  
22 have 45 days after mailing of the Class Notice of Settlement to make objections to the  
23 Settlement or request exclusion from the Settlement.

24          9.       The Court orders that, in accordance with the Settlement, any class member who  
25 submits a valid and timely request to be excluded from the Settlement shall no longer be a  
26 member of the class; shall be barred from participating in the Settlement; shall have no right to  
27 object to the Settlement; and shall receive no benefit from the Settlement.  
28

1           10.     The Court orders that any class member who fails to submit a timely objection in  
2 accordance with the terms of the Settlement may not be heard to oppose the Settlement at the  
3 Final Approval Hearing unless otherwise ordered by the Court.

4           11.     The Court sets a Final Approval Hearing for June 17, 2025 at  
5 8:30 a.m. in Department 10 of the Superior Court in and for the County of Santa Cruz.

6           12.     The Court orders that Plaintiff shall serve and file a motion for final approval of  
7 the Settlement at least 16 court days before the Final Approval Hearing.

8  
9 Dated: 1/23/2025 10:52:03 AM

  
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Judge of the Superior Court  
Timothy Schmal