

SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA

Superior Court of California, County of Ventura, Hall of Justice, Department 21

2023CUOE011192

**ALFONSO CEJA RUIZ vs AUTOMOTIVE RACING
PRODUCTS INC, et al.**

April 4, 2025

8:20 AM

Judge: Honorable Charmaine H Buehner

Judicial Assistant: Sue Brown

CSR: None

APPEARANCES:

Hallie Von Rock & Emma Geesaman appearing on behalf of Randall Bruce Aiman-Smith,
present for Plaintiff(s) remotely via video.

Megan Childress, counsel, present for Defendant(s) remotely via video.

NATURE OF PROCEEDINGS: Motion for Order 1 Preliminarily Approving the Class Action Settlement, 2 Approving Notice of Class Action Settlement, and 3 Setting Hearing for Final Approval

Court Proceedings were conducted using Zoom video conferencing.

9:28 a.m. Court convenes in this matter.

The Court has published a tentative ruling to which all counsel submit and request a final hearing date.

The Court finds/orders:

Hearing on Motion for Final Approval of Settlement is scheduled for 08/13/25 at 08:30 AM in Department 21 at Hall of Justice.

The Court's tentative is adopted as the Court's ruling as follows:

Motion: Plaintiffs' Unopposed Motion for Order (1) Preliminarily Approving the Class Action Settlement, (2) Approving Notice of Class Action Settlement, and (3) Setting Hearing for Final Approval.

Final Ruling:

Plaintiffs' Motion for Order (1) Preliminarily Approving the Class Action Settlement, (2) Approving Notice of Class Action Settlement, and (3) Setting Hearing for Final Approval is GRANTED.

Within 15 days of this order, Plaintiffs shall file an amended Proposed Order consistent with the ruling of the court and the supplemental documents filed regarding this matter.

Notice to be provided by Plaintiffs.

Relevant Background:

This matter involves consolidated actions Case Nos. 2023CUOE011192 and 2024CUOE021294, both of which cases alleged various Labor Code, Business and Professions Code, and PAGA violations.

On September 12, 2024, a Stipulation to File Consolidated Complaint and Order was filed which consolidated both actions and allowed the following of a Second Amended Complaint. Defendant's response was agreed to be due in 30 days if the settlement was not approved or cancelled.

The Second Amended Complaint ("SAC") was filed on January 6, 2025. The SAC was filed by Plaintiffs Alfonso Ceja Ruiz and Reynaldo Labo, both individually and on behalf of other similarly situated and the California Labor and Workforce Agency, against Defendants Automotive Racing Products, Inc. and Richard Jackson. The SAC pleaded Class Action claims for (1) failure to reimburse necessary business expenses (Lab. Code, § 2802), (2) failure to pay minimum wages (Labor Code, §§ 1194, 1197), (3) failure to pay wages and overtime wages (Lab. Code, § 510), (4) failure to pay vacation wages (Lab. Code, § 227.3), (5) failure to comply with Labor Code sections 245, et seq, and 246, (6) failure to provide meal periods. (Lab Code, § 226.7), (7) failure to provide rest periods (Lab. Code, § 226.7), (8) Failure to provide accurate wage statements (Lab. Code., § 226), (9) failure to pay all wages due at separation (Lab. Code, § 203), and (10) restitution. There are also individual claims by Plaintiff Ruiz as well as PAGA representative claims.

On January 7, 2025, Plaintiffs filed this Motion for (1) Preliminarily Approving the Class Action Settlement, (2) Approving Notice of Class Action Settlement, and (3) Setting Hearing for Final Approval. No Opposition was filed.

On January 30, 2025, the Court heard the Motion for Preliminary Approval. The court continued the hearing and required the filing of the following documents:

1. Proof of Service of the Settlement to the Labor and Workforce Development Agency;
2. Amended Declarations from Plaintiffs Alfonso Ceja Ruiz, and Reynaldo Labo to address whether their claims are "typical" of the class claims.
3. Sufficient detail concerning attorneys David Yeremian and Emma Geesaman to address their qualifications to be provisionally approved and appointed as Class Counsel as well as an additional information to substantiate the attorney fee award requested;
4. Discuss the proposed Cy Pres Recipient identified in Paragraph 4.7 of the Class Action and Paga Settlement Agreement and Class Notice; and
5. Provide clarification regarding the claims governed by Labor Code section 510

On March 19, 2025, Plaintiffs filed Declarations in response to the Court Order.

Analysis:

1. Notice of Settlement to the LWDA

With respect to the PAGA settlement, “[t]he superior court shall review and approve any settlement of any civil action filed pursuant to this part. The proposed settlement shall be submitted to the agency at the same time that it is submitted to the court.” (Labor Code, § 2699, subd. (s)(2).)

The Supplemental Declaration of Roman Shkodnik attached as Exhibit 1, the notice provided to the LWDA regarding the Settlement Agreement. The Supplemental Declaration of Hallie Von Rock also stated that the Amended Settlement Agreement and Memorandum of Points and Authorities, along with notice of the April 4, 2025, hearing were filed with the LWDA. (Supp Von Rock Dec., ¶ 10.) In support, Exhibit 3 was provided with the Von Rock Declaration. Therefore, the court finds that the notice requirement has been met.

1. Prior Defects Regarding Typicality and Definitions

Code of Civil Procedure, section 382 states in part: “when the question is one of a common or general interest, of many persons, or when the parties are numerous, and it is impracticable to bring them all before the court, one or more may sue or defend for the benefit of all.”

“The two requirements that must be satisfied for a representative action are an ascertainable class and a well-defined community of interest in the questions of law and fact involved affecting the parties to be represented.” (*Market Lofts Comm. Ass’n v. 9th St. Market Lofts, LLC* (2014) 222 Cal.App.4th 924, 933.)

“The decision to certify a class rests squarely within the discretion of the trial court, and we afford that decision great deference on appeal, reversing only for a manifest abuse of discretion: ‘Because trial courts are ideally situated to evaluate the efficiencies and practicalities of permitting group action, they are afforded great discretion in granting or denying certification.’ [Citation]. A certification order generally will not be disturbed unless (1) it is unsupported by substantial evidence, (2) it rests on improper criteria, or (3) it rests on erroneous legal assumptions. [Citation].” (*Fireside Bank v. Superior Court* (2007) 40 Cal.4th 1069, 1089.)

“Class certification requires proof (1) of a sufficiently numerous, ascertainable class, (2) of a well-defined community of interest, and (3) that certification will provide substantial benefits to litigants and the courts, i.e., that proceeding as a class is superior to other methods. [Citations]. In turn, the ‘community of interest requirement embodies three factors: (1) predominant common questions of law or fact; (2) class representatives with claims or defenses typical of the class; and (3) class representatives who can adequately represent the class.’ [Citation].” (*Fireside Bank v. Superior Court, supra*, 40 Cal.4th 1069, 1089.)

“The typicality requirement's purpose “ ‘is to assure that the interest of the named representative aligns with the interests of the class. [Citation.] “ ‘Typicality refers to the nature of the claim or defense of the class representative, and not to the specific facts from which it arose or the relief

sought.’ ” [Citations.] The test of typicality “is whether other members have the same or similar injury, whether the action is based on conduct which is not unique to the named plaintiffs, and whether other class members have been injured by the same course of conduct.” ’ ” (*Martinez v. Joe’s Crab Shack Holdings* (2014) 231 Cal.App.4th 362, 375.)

The court previously found that it was unclear from the Declarations of Reynaldo Labo and Alfonso Ceja Ruiz whether their claims were typical of the class since they do not clearly state whether they were “hourly” employees. Clarification regarding this issue was necessary since the Class Action and PAGA Settlement Agreement and Class Notice attached as Exhibit 1 to the Declaration of Roman Shkodnik, defined the class in paragraph 1.5 as, “‘Class’ means non-exempt, hourly individuals that worked for Defendant in California during the Settlement Class Period.”

The supplemental declarations of Labo and Ruiz filed on March 19, 2025, addressed this concern. Reynaldo Labo stated he “worked for Automotive Racing Products, Inc. (‘Defendant’) as a nonexempt, hourly employee from approximately January 2020 to March 3, 2023.” (Labo Dec., ¶2.) Alfonso Ceja Ruiz stated he “was employed as an hourly, non-exempt employee, with the job of a cold headerman¹ at Automotive Racing Products’ (‘ARP’) facility in Santa Paula, California from 2011 through May 2023, when I was forced to resign from ARP’s employment. (Supp. Ruiz Dec., ¶2.) Therefore, the typicality requirement as to the proposed class representatives has been met.

In addition, the Court’s January 30, 2025 order noted that the Proposed Class in related to “employees” and not “individuals that worked for Defendant.” The Court asked the parties to provide a consistency to ensure no dispute as to the class definition. The Supplemental Declaration Hallie Von Rock addressed this concern and has provided the court, in Exhibits 1 and 2 to her declaration, changes in the Amended Settlement Agreement to make the clarification.

Based on the foregoing, the Court finds that the previous concerns regarding typicality and definitions have been addressed.

1. Proposed Class Counsel David Yeremian and Emma Geesaman

The Court previously noted that the motion asked the court to approve and appoint David Yeremian and Emma Geesaman as Class Counsel in this case. However, no information or declarations were provided regarding these attorneys.

Both David Yeremian and Emma Geesaman have filed declarations showing their qualifications and billing rates. Thus, the court finds that this requirement is met.

1. Disposition of Residual – Cy Pres recipient

This Court previously noted that Paragraph 4.7 of the Settlement identified Legal Aid at Work as

the “intended Cy Pres Recipient.” However, no information regarding this *cy pres* recipient was provided.

The Declaration of Joan Graff, President of Legal Aid at Work describes the work of the intended *cy pres* recipient regarding providing free legal services to low-wage workers with employment law claims. (Graff Dec., ¶ 7.) The Court finds that the group is an appropriate *cy pres* recipient in this matter.

1. Labor Code section 510

The third cause of action allege that Defendant failed to pay wages and overtime wages as required by Labor Code section 510. The Court noted that the settlement agreement and the notice to the class members failed to discuss this claim.

The Supplemental Declaration of Hallie Von Rock shows that the parties have addressed this concern and added the Labor Code section 510 violation in paragraphs 2.1, and 5.3 of the Amended Settlement Agreement, attached as Exhibit 1 to the declaration. Therefore, the Court finds that this concern has been addressed.

Motion to be filed per code.

Proposed order is signed electronically.

Notice is waived.