

08/22/2024

Chad Finke, Executive Officer / Clerk of the Court

By: V. Hutton Deputy

1 MATERN LAW GROUP, PC
MATTHEW J. MATERN (SBN 159798)
2 DALIA R. KHALILI (SBN 253840)
MATTHEW W. GORDON (SBN 267971)
3 VANESSA M. RODRIGUEZ (SBN 316382)
1230 Rosecrans Avenue, Suite 200
4 Manhattan Beach, CA 90266
Telephone: (310) 531-1900
5 Facsimile: (310) 531-1901

6 Attorneys for Plaintiff
KAROLINA TORREZ and the CERTIFIED CLASS
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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF ALAMEDA—UNLIMITED JURISDICTION

12 **DEL TACO WAGE AND HOUR CASES**

13 COORDINATION PROCEEDINGS
14 SPECIAL TITLE RULE (3.550)

15 Included actions:

16 *Torrez v. Del Taco, LLC*
Case No. 21CV000111

17 *Chavez, et al. v. Del Taco, LLC*
18 Riverside County Superior Court Case No.
RIC1512246

19 *Ramirez v. Del Taco, LLC*
Case No. 19CV005228

20 *Cabral v. Del Taco, LLC*
21 Case No. 21CV005224

Case No. 21CV000111 (JCCP004904)

[Assigned for all purposes to
Hon. Noel Wise, Dept. 21]

**NOTICE OF ORDER RE: COMPLIANCE
HEARING RE: FINAL DISBURSEMENT**

Action Filed: March 2, 2016
Trial Date: None Set

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, on August 20, 2024, the Court in the above-captioned matter issued an Order re: Compliance Hearing Re: Final Disbursement (“Order”).

A true and correct copy of the Order is attached hereto as **Exhibit A**.

DATED: August 22, 2024

Respectfully submitted,

MATERN LAW GROUP, PC

By: *Vanessa M. Rodriguez*
MATTHEW J. MATERN
DALIA R. KHALILI
MATTHEW W. GORDON
VANESSA M. RODRIGUEZ
Attorneys for Plaintiff
KAROLINA TORREZ and the Certified Class

EXHIBIT A

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

<p>DEL TACO WAGE AND HOUR CASES</p> <p style="text-align: center;">Plaintiff/Petitioner(s) vs. Del Taco, LLC Defendant/Respondent (s)</p>	<p>No. JCCP004904</p> <p>Date: 08/20/2024</p> <p>Time: 2:30 PM</p> <p>Dept: 21</p> <p>Judge: Noël Wise</p> <p style="text-align: center;">ORDER re: Compliance Hearing Re: Final Disbursement</p>
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The Compliance Hearing Re: Final Disbursement scheduled for 08/20/2024 is continued to 02/11/2025 at 01:30 PM in Department 21 at Rene C. Davidson Courthouse.

The hearing on final distribution is CONTINUED approximately six months.

The settlement fund was \$ 50,000,000. The net settlement fund for the class members was \$35,024,927. (Polites Dec. para 9)

There are 50,021 Participating Class Members. (Polites Dec. para 9.) A total of 23,803 settlement checks totaling \$4,307,383.88 remain uncashed after the June 19, 2024 check cashing deadline. (Polites Dec. para 15.) Therefore, approximately 26,218 persons did cash their checks.

Given the amount of money at issue relative to the cost of a second distribution, it makes sense to have a second distribution to get the most money to the most members of the class. A second distribution of the balance of \$4,307,383.88 would result in an average second distribution of \$164 per person for each of the 26,218 persons who cashed their checks on the first distribution. This will result in a significant benefit to the class.

The court in its discretion finds that it is not required or appropriate to make further efforts to send checks to the approximately 26,218 members of the class who did not cash their checks in the first distribution. If those persons did not receive or cash their first checks, then it is reasonable to conclude that those persons will not receive or cash their second checks.

The court ORDERS that the claims administrator must make a second distribution of the remaining funds to the persons who cashed their checks on the first distribution using the same methodology for calculating funds per person as was used in the initial distribution.

The check-cashing period for second distribution will be 90 days from the date the second distribution of settlement checks were issued.

The claims administrator may charge a reasonable amount for the second distribution, which

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

amount will be taken from the funds remaining from the first distribution.

The claims administrator will continue to hold the 10% of attorneys fees until the distribution to the members of the class is complete.

The Court orders counsel to obtain a copy of this order from the eCourt portal.

Dated : 08/20/2024



Noël Wise / Judge

1 **PROOF OF SERVICE**

2 ***Karolina Torrez v. Del Taco, LCC***
3 **LASC Case No. JCCP4904**

4 I am employed in the County of Los Angeles, State of California. I am over the age of 18
5 years, and not a party to this action. My business address is 1230 Rosecrans Avenue, Suite 200,
6 Manhattan Beach, California 90266.

7 On August 22, 2024, I served the following document or documents:

8 **NOTICE OF ORDER RE: COMPLIANCE HEARING RE: FINAL DISBURSEMENT**

9 **By e-mail or electronic transmission.** I caused the documents to be sent to the person at the
10 e-mail addresses listed below. I did not receive, within a reasonable time after the
11 transmission, any electronic message or other indication that the transmission was
12 unsuccessful.

13 MANATT, PHELPS & PHILLIPS, LLP 14 Andrew L. Satenberg, Esq. 15 Ryan P. Patterson, Esq. 16 2049 Century Park East, Suite 1700 17 Los Angeles, California 90067 18 Telephone: (310) 312-4000 19 Facsimile: (310) 312-4224 20 Email: asatenberg@manatt.com 21 rpatterson@manatt.com	Attorneys for Defendants DEL TACO, LLC
22 Grant Joseph Savoy, Esq. 23 Shoham J. Solouki, Esq. 24 SOLOUKI SAVOY LLP 25 316 W. 2 nd Street, Suite 1200 26 Los Angeles, California 90012 27 Telephone: (213) 814-4940 28 Facsimile: (213)814-2550 Email: grant@soloukisavoy.com shoham@soloukisavoy.com	Attorneys for Plaintiffs MAGDELENA CHAVEZ and IVAN ANDAYA
Farzad Rastegar, Esq. Douglas W. Perlman, Esq. Ryan Aliman, Esq. RASTEGAR LAW GROUP 22760 Hawthorne Boulevard, Suite 200 Torrance, California 90505 Telephone: (310) 961-9600 Facsimile: (310) 961-9094 Email: farzad@rastegarlawgroup.com douglasperlman@rastegarlawgroup.com ryan@rastegarlawgroup.com	Attorneys for Plaintiff VICTOR RAMIREZ

<p>1 David G. Spivak 2 THE SPIVAK LAW FIRM 3 16530 Ventura Blvd., Suite 203 4 Encino, CA 91436 5 Telephone: (213) 725-9094 6 Facsimile: (213) 634-2485 7 Email: david@spivaklaw.com 8 breck@spivaklaw.com 9 lizzett@spivaklaw.com 10 emily@spivaklaw.com</p>	<p>Attorneys for Plaintiffs TIMOTHY TAFOYA, RAINA CABRAL, and VANESSA LOZANO</p>
<p>7 Walter Haines, Esq. 8 UNITED EMPLOYEES LAW GROUP 9 5500 Bolsa Avenue, Suite 201 10 Huntington Beach, California 92649 11 Telephone: (888) 474-7242 12 Facsimile: (562) 256-1006 13 Email: walter@whaines.com</p>	<p>Attorneys for Plaintiffs TIMOTHY TAFOYA, RAINA CABRAL, and VANESSA LOZANO</p>
<p>11 Shaun Setareh, Esq. 12 SETAREH LAW GROUP 13 315 South Beverly Drive, Suite 315 14 Beverly Hills, California 90212 15 Telephone: (310) 888-7771 16 Facsimile: (310) 888-0109 17 Email: shaun@setarehlaw.com</p>	<p>Attorneys for Plaintiffs TIMOTHY TAFOYA, RAINA CABRAL, and VANESSA LOZANO</p>

18 I declare under penalty of perjury under the laws of the State of California that the foregoing is
19 true and correct. Executed on August 22, 2024 at Manhattan Beach, California.

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