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MATERN LAW GROUP, PC
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Attorneys for Plaintiff
DIANA IZAMAR GARCIA

FILED
Superior Court of California
County of Los Angeles

03/12/2024

David W. Slayton, Executive Officer / Clerk of Court

By: L. MGreené Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DIANA IZAMAR GARCIA, an individual, on
behalf of himself and all others similarly
situated,

Plaintiff,

vs.

COMEX FOOD SERVICE, INC., a California
corporation; COMEX KC, LLC, a California
limited liability company; COMEX KC, LP, a
California limited partnership; and DOES 1
through 50, inclusive,

Defendants.

Case No. BC652501

CLASS ACTION

[Assigned for all purposes to the
Honorable Carolyn B. Kuhl, Dept. SS-12]

**JOINT STIPULATION TO CONTINUE
FINAL APPROVAL HEARING**

Action Filed: March 2, 2017
Trial Date: None set

1 Plaintiff Diana Izamar Garcia (“Plaintiff”) and defendants Comex Food Service, Inc.,
2 Comex KC, LLC, and Comex KC, LP (“Defendants”) (collectively, the “Parties”), by and
3 through their respective counsel of record, hereby stipulate and agree as follows:

4 WHEREAS, on November 15, 2023, the Court entered an Order Granting Preliminary
5 Approval of Class Action Settlement;

6 WHEREAS, pursuant to the order, Defendants were to provide the class data to the
7 settlement administrator within 15 days of the order, or by November 30, 2023; the settlement
8 administrator was to mail the class notices within 14 days of receipt of the class data; and the
9 Final Approval hearing was set for April 3, 2024;

10 WHEREAS, due to Defendants’ closure of their business and difficulty in accessing the
11 files in a third party storage, there was a delay in obtaining and providing the class information to
12 the settlement administrator. Eventually, Defendants did provide the class data to the settlement
13 administrator; however there is not sufficient time to mail the notices and receive any objections,
14 opt-outs, and disputes prior to the current Final Approval Hearing; and

15 WHEREAS, based on the foregoing, the Parties agree that good cause exists to continue
16 the Final Approval Hearing to a date on or after June 17, 2024;

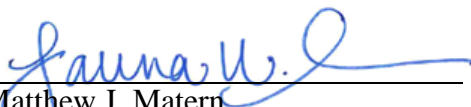
17 NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between Plaintiff and
18 Defendants, through their respective attorneys of record, that the Final Approval Hearing shall be
19 continued from April 3, 2024, to June 17, 2024, or the Court’s next available date.

20 **SO STIPULATED.**

21
22 Dated: February 27, 2024

MATERN LAW GROUP, PC

23
24 By:




25 Matthew J. Matern
26 Launa Adolph
27 Attorneys for Plaintiff
28 DIANA IZAMAR GARCIA

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Dated: February 27, 2024

BARNES & THORNBURG LLP

By: 

Soo Y. Park
Attorneys for Defendants
COMEX FOOD SERVICE, INC., COMEX KC,
LLC, and COMEX KC, LP

PROOF OF SERVICE

Diana Izamar Garcia v. Comex Food Service, Inc., et al.
LASC Case No. BC652501

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

On February 27, 2024, I served the following document or documents:

JOINT STIPULATION TO CONTINUE FINAL APPROVAL HEARING

By electronic service. Based upon a court order authorizing electronic service, I caused a true and correct copy of the document(s) to be electronically served on counsel of record listed below by transmission to Case Anywhere LLC.

Lonnie Giamela, Esq. FISHER & PHILLIPS LLP 444 South Flower Street, Suite 1500 Los Angeles, CA 90071 Phone: (213) 330-4500 Fax: (213) 330-4501 Email: lgiamela@fisherphillips.com	Attorneys for Defendant COMEX FOODSERVICE, INC., COMEX KC, LLC, and COMEX KC, LP
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By e-mail or electronic transmission. I caused the documents to be sent to the person at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Soo Y. Park Barnes & Thornburg LLP 2029 Century Park East Suite 300, Los Angeles, CA 90067 Email: SPark@btlaw.com	Attorneys for Defendant COMEX FOODSERVICE, INC., COMEX KC, LLC, and COMEX KC, LP
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 27, 2024 at Manhattan Beach, California.



Yeshenia Zambrano