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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

MAY 29 2025

DAVID H. YAMASAKI, Clerk of the Court

**SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF ORANGE**

BY: M. NEVAREZ, DEPUTY

DARREN CLEVINGER and DAVID BLOOM on behalf of themselves and the Certified Classes,

Plaintiffs,

v.

WELCH FOODS INC., A COOPERATIVE;
PIM BRANDS, INC., formerly THE PROMOTION IN MOTION COMPANIES, INC., a Delaware Corporation; and DOES 1 through 25, inclusive,

Defendants.

Case No. 30-2022-01298406-CU-BT-CXC

[PROPOSED] ORDER FOR CLASS NOTICE BY PUBLICATION

Action filed: Dec 21, 2022
Original Case Filed: June 30, 2020
Trial Date: None Set

This Order results from the Joint Statement Regarding Class Notice Per California Rules of Court Rule 3.766 agreed upon and submitted by Plaintiffs Darren Clevenger and David Bloom (“Plaintiffs”) and Defendants Welch Foods Inc., A Cooperative, and PIM Brands, Inc., formerly The Promotion In Motion Companies, Inc. (“Defendants”).

Based on this Court’s Order dated February 7, 2025, granting Plaintiffs motion for class certification, in conjunction with the Joint Statement Regarding Class Notice Per California Rules of Court Rule 3.766, the requirements and factors enumerated in Rule 3.766, the pleadings and papers on file herein, and for good cause shown, it is hereby ORDERED as follows:

1. Notice should be given concerning the pendency of this class action.
2. Class members shall have the right to exclude themselves from (or “opt out” of) this action.
3. The time and manner of giving notice shall be as follows: Notice shall be provided by

publication. The notice to be published is attached as Exhibit 1, which should fit in a 1/8th of a page print ad. The content will be published for one day in the following weekday newspapers and online editions: Los Angeles Times (ROP Display section), San Francisco Chronicle (Legal Notices section-in column),

1 San Diego Union Tribune (Legal Notices section), and Sacramento Bee (Main Section). The deadline for
2 opt-outs will be 60 days after publication.

3 Additionally, a claim administrator as chosen by Plaintiffs will create a website that will be
4 searchable through Google and/or other related search engines. Exhibit 1 shall be included, which is hereby
5 approved. It contains, among other things, the information required by CRC 3.766(d). Attached as Exhibit 2
6 is the list of covered products, which shall also be included on the website, along with the First Amended
7 Class Action Complaint (May 20, 2024); and the Class Certification Order (February 7, 2025).

8 This manner of giving notice has been decided upon after considering the factors listed in Rule
9 3.766(e). This proposed manner of giving notice has “a reasonable chance of reaching a substantial
10 percentage of the class members.”

11 4. Plaintiffs will advance the cost of publication.

12 5. The parties are authorized to jointly make changes to the content of the notice and/or the
13 website that they collectively deem minor to increase readability, understandability, efficiency, or accuracy
14 without further approval of the Court. Also without further approval of the Court, the parties are authorized
15 to jointly change the format, margins, and/or type size of Exhibits 1 and 2 to make them fit and/or appear
16 more efficiently or economically.

17 6. The class notice (including manner and content), as approved by this Order, satisfies all
18 requirements of due process and state law concerning notices in class actions, and has “a reasonable chance
19 of reaching a substantial percentage of the class members.”

20
21 IT IS SO ORDERED:

22 Dated: 5/29 2025



Honorable Superior Court Judge

DAVID A. HOFFER