

1 THE RESTIS LAW FIRM, P.C.  
2 William R. Restis, Esq. (SBN 246823)  
3 402 West Broadway, Suite 1520  
4 San Diego, California 92101  
5 +1.619.270.8383  
6 +1.619.752.1552  
7 william@restislaw.com

8 *Attorneys for Plaintiff and the Proposed Settlement Class*

9 [Additional Counsel Listed On Signature Page]

10 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
11 **COUNTY OF SAN DIEGO**

12 **KARL BECK**, individually and on behalf of all  
13 other similarly situated California residents,

14 Plaintiff,

15 v.

16 **POINT LOMA PATIENTS CONSUMER**  
17 **COOPERATIVE CORPORATION**, A  
18 California Corporation, **ADAM KNOPF**, an  
19 Individual, **JUSTUS H. HENKES IV**, an  
20 Individual, **419 CONSULTING INC.**, a  
21 California Corporation, **GOLDEN STATE**  
22 **GREENS LLC**, a California LLC, **FAR WEST**  
23 **MANAGEMENT, LLC**, a California LLC,  
24 **FAR WEST OPERATING, LLC**, a California  
25 LLC, **FAR WEST STAFFING, LLC**, a  
26 California LLC, and **DOES 1-50**,

27 Defendants.  
28

**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego

**12/05/2018** at 03:55:00 PM

Clerk of the Superior Court  
By Tamara Parra, Deputy Clerk

Case No: 37-2017-00037524-CU-BT-CTL

**CLASS ACTION**

**PLAINTIFF'S NOTICE OF MOTION AND  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Date: January 4, 2019

Time: 9:00 a.m.

Judge: Hon. Joel R. Wohlfeil

Ctrm: C-73

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that Plaintiff and proposed Class Representative Karl Beck  
3 (“Plaintiff” or “Beck”), on January 4, 2019 at 9:00 a.m. in Department C-73, located at 330 West  
4 Broadway, San Diego, CA 92101, the Honorable Joel R. Wohlfeil presiding, will and hereby does  
5 move the Court for an order pursuant to California Code of Civil Procedure § 382, and California  
6 Rules of Court 3.766 and 3.769:

7 (1) preliminarily approving the Class Action Settlement between Plaintiff and  
8 Defendants Point Loma Patients Consumer Cooperative Corporation (the “PLPCC”), 419  
9 Consulting Inc., Golden State Greens LLC, Far West Management, LLC, Far West Operating, LLC,  
10 Far West Staffing, LLC, Adam Knopf and Justus Henkes, IV (collectively “Defendants”) by finding  
11 the Settlement to be fair, adequate, and reasonable to the Class Members, free of collusion or indicia  
12 of unfairness, and within the range of possible judicial approval;

13 (2) conditionally certifying for purposes of, and solely in connection with, the  
14 Settlement, the Class Members comprised of:

15 **All individuals that purchased a product from Point Loma Patients**  
16 **Consumer Cooperative prior to December 31, 2017, except (i) any**  
17 **Defendant in this Action; (ii) Beck’s attorneys and litigation staff,**  
18 **including members of their immediate families; or (iii) any judge,**  
19 **justice judicial officer, or judicial staff of the Court.**

20 (3) appointing and designating Plaintiff Karl Beck as Class Representative for the Class  
21 Members;

22 (4) appointing and designating William R. Restis of The Restis Law Firm, P.C. as Class  
23 Counsel for the Class Members;

24 (5) approving, as to form and content, the proposed Class Notice, attached as Exhibits B  
25 (Short-Form Notice) and A (Long-Form Notice) to the Settlement Agreement, the individual direct  
26 notice plan, and the form and content of the Settlement Website;

27 (6) appointing and designating The Notice Company, Inc. as the Class Notice and  
28 Settlement Administrator; and

1 (7) scheduling a Final Approval Hearing

2 This Motion will be based upon this Notice, the accompanying Memorandum of Points and  
3 Authorities, and Declarations of William R. Restis, Adam Knopf, Joseph M. Fisher and supporting  
4 exhibits thereto, and upon the material contained in the file of the Court.

5 Respectfully submitted,

6 DATED: December 5, 2018 THE RESTIS LAW FIRM,

7  
8  P.C.

9 William R. Restis, Esq.  
10 402 W. Broadway, Suite 1520  
11 San Diego, CA 92101  
12 Tel: +1.619.270.8383  
13 Email: william@restislaw.com

14 **FINKELSTEIN & KRINSK LLP**  
15 Jeffrey R. Krinsk (SBN 109234)  
16 jrk@classactionlaw.com  
17 550 West C Street, Suite 1760  
18 San Diego, CA 92101  
19 Telephone: (619) 238-1333  
20 Facsimile: (619) 238-5425

21 *Attorneys for Plaintiff*

22  
23  
24  
25  
26  
27  
28