

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

02/19/2019 at 12:00:00 AM

Clerk of the Superior Court
By Richard Day, Deputy Clerk

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

CLASS ACTION

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

Date: March 15, 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 March 15, 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 Amended 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 Amended Settlement Agreement, the
26 individual direct 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
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(7) scheduling a Final Approval Hearing.

This Amended Unopposed Motion will be based upon this Notice, the accompanying Amended Memorandum of Points and Authorities, and Declarations of William R. Restis, Adam Knopf of the PLPCC (RoA #195), and Joseph Fisher of The Notice Company and supporting exhibits thereto, (RoA # 197) and upon the material contained in the file of the Court.

DATED: February 18, 2019

Respectfully submitted,

THE RESTIS LAW FIRM, P.C.



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

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

Attorneys for Plaintiff