Electronically Received 08/13/2026 11:50 AM

FILED
Superior Court of California
County of Los Angeles
08/25/2026
David W. Slayton, Executive Officer / Clerk of Court
By: T. Lewis Deputy

GREENSTONE LAW APC
Mark S. Greenstone (SBN 199606)
1925 Century Park East, Suite 2100
Los Angeles, CA 90067
Telephone: (310) 201-9156
Facsimile: (310) 201-9160
Email: mgreenstone@greenstonelaw.com

GLANCY PRONGAY & MURRAY LLP
Marc L. Godino (SBN 182689)
1925 Century Park East, Suite 2100
Los Angeles, CA 90067
Telephone: (310) 201-9150
Facsimile: (310) 201-9160
Email: mgodino@glancylaw.com

Attorneys for Plaintiff

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

EDEN GUITRON, on behalf of herself and all others similarly situated
Plaintiff,

v.

SERTA, INC., a Delaware corporation; SERTA SIMMONS BEDDING, LLC, a Delaware limited liability company, and DOES 1 through 10,
Defendants.

Case No.: 24STCV27855

REVISED ~~[PROPOSED]~~ ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

Hearing Date: August 25, 2026
Hearing Time: 11:00 a.m.
Courtroom: 11

Complaint Filed: October 24, 2024
Trial Date: None Set

~~[PROPOSED~~] ORDER

The Motion of Plaintiff Eden Guitron ("Plaintiff") for Preliminary Approval of Class Action Settlement ("Motion") came regularly for hearing before this Court on June 4, 2026 at 9:00 a.m.. The Court, having considered the Plaintiff and Defendants Serta, Inc. and Serta Simmons Bedding LLC ("Defendants" or "SSB") (collectively, the "Parties") proposed Settlement Agreement and Release ("Settlement Agreement" or "Settlement"), attached as Exhibit 1 to the Declaration of Mark S. Greenstone filed concurrently with the Motion; having considered Plaintiff's Motion for Preliminary Approval of Class Action Settlement; the memorandum of points and authorities in support thereof, and supporting declarations filed therewith; and good cause appearing, **HEREBY ORDERS THE FOLLOWING:**

1. The Court GRANTS preliminary approval of the class action settlement as set forth in the Settlement Agreement and finds its terms to be within the range of reasonableness of a settlement that ultimately could be granted approval by the Court at a Final Fairness hearing. All terms used herein shall have the same meaning as defined in the Settlement Agreement. For purposes of the Settlement only, the Court finds that the proposed Settlement Class is ascertainable and that there is a sufficiently well-defined community of interest among the members of the Settlement Class in questions of law and fact. Therefore, for settlement purposes only, the Court grants conditional certification of the following Settlement Class:

> the 2,846 unique callers with a telephone number bearing a California prefix who SSB's records identified as having had a telephone conversation with SSB on a line that may have been recorded without an automated call recording disclosure during the period September 11, 2023 through July 9, 2025. Excluded from the Settlement Class are all attorneys and employees of Settlement Class Counsel, any judicial officer to whom this case is assigned, and persons who validly opt out of the settlement by following the procedures set forth herein.

2. For purposes of the Settlement only, the Court designates Plaintiff Eden Guitron as the Class Representative and designates Mark S. Greenstone of Greenstone Law APC and Marc L. Godino of Glancy Prongay & Murray LLP as Settlement Class Counsel.

3. The Court designates Epiq as the third-party Claims Administrator.

4. The Parties are ordered to implement the settlement according to the terms of the Settlement Agreement.

5. The Court approves, as to form and content, the Settlement Class Notice (including the Email Settlement Class Notice attached as Exhibit B to the Settlement Agreement, the Postcard Settlement Class Notice attached as Exhibit C to the Settlement Agreement, the Text Settlement Class Notice attached as Exhibit D and the Long-Form Settlement Class Notice attached as Exhibit E to the Settlement Agreement).

6. The Court finds that the form of notice to the Settlement Class regarding the pendency of the action and of the Settlement, the dates selected for mailing and distribution, and the methods of giving notice to members of the Settlement Class, satisfy the requirements of due process, constitute the best notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all members of the Settlement Class. The form and method of giving notice complies fully with the requirements of California Code of Civil Procedure § 382, California Civil Code § 1781, California Rules of Court §§ 3.766 and 3.769, the California and United States Constitutions, and other applicable law.

7. The Court authorizes Epiq to transmit the Text Settlement Class Notice to potential Settlement Class Members.

8. The Court further approves the procedures for Settlement Class Members to opt-out of or object to the Settlement, as set forth in the Settlement Class Notice and the Settlement Agreement. The procedures and requirements for filing objections in connection with the final fairness hearing are intended to ensure the efficient administration of justice and the orderly presentation of any Settlement Class Member's objection to the Settlement, in accordance with the due process rights of all Settlement Class Members.

9. The Court directs the Claims Administrator to provide the Settlement Class Notice to the members of the Settlement Class in accordance with the terms of the Settlement.

10. The Settlement Class Notice shall provide 90 calendar days' notice for Settlement Class Members to submit a Claim Form.

11. The Settlement Class Notice shall provide 60 calendar days' notice for Settlement Class Members to opt-out of or object to the Settlement.

12. The hearing on Plaintiff's Motion for Final Approval of Settlement on the question of whether the Settlement should be finally approved as fair, reasonable, and adequate is scheduled in the California Superior Court, County of Los Angeles, Department 11, 312 N. Spring Street, Los Angeles, CA 90012, on April 22, 2027 at 10:00 a.m. ~~a.m./p.m.~~.

13. At the Final Fairness hearing, the Court will consider: (a) whether the Settlement should be approved as fair, reasonable, and adequate for the Class; (b) whether a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for a class representative service award, administration costs, and Settlement Class Counsel's attorney's fees and costs, should be granted.

14. Counsel for the Parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of Plaintiff's application for a class representative service award, administration costs, and Settlement Class Counsel's attorney's fees and costs, prior to the hearing on Plaintiff's Motion for Final Approval of Settlement according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

15. An implementation schedule is below:

Event	**Date**
Defendant to provide class contact information ("Class Member Contact List") to Claims Administrator no later than:	_____ [14 days following preliminary approval]
Claims Administrator to send the Settlement Class Notice to the Settlement Class Members no later than:	_____ [45 days following preliminary approval]
Claims Administrator to publish the Settlement Website no later than:	_____

	[45 days following preliminary approval]
Deadline for Settlement Class Counsel to file motion for final approval and motion for an award of attorneys' fees, litigation costs, administration costs, and the class representative service award.	_____ [45 days after mailing of the settlement class notice]
Last day for Settlement Class Members to postmark objections to the settlement and request for exclusion from the settlement	_____ [60 days after mailing of the settlement class notice]
Deadline for Settlement Class Members to submit Claim Forms:	_____ [90 days after mailing of the Settlement Class Notice]
Last day for Settlement Class Counsel to file a response to any objections	_____ [14 days before final approval hearing]
Hearing on Motion for Final Approval of Settlement	April 22, 2027 at 10:00 a.m. [90 days after mailing of the Settlement Class Notice]

16. Pending the Final Fairness hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this Order, are stayed.

17. Notice of final judgment will be given to the Settlement Class through the Settlement Website.

18. Counsel for the Parties are hereby authorized to utilize all reasonable procedures in connection with the administration of the Settlement which are not materially inconsistent with either this Order or the terms of the Settlement.

IT IS SO ORDERED.

DATED: 08/25/2026

By: 

JUDGE OF THE SUPERIOR COURT

Honorable Bruce G. Iwasaki