

Electronically Received 02/20/2026 02:52 PM

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FILED
Superior Court of California
County of Los Angeles
03/09/2026
David W. Slayton, Executive Officer / Clerk of Court
By: T. Lewis Deputy

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**

10 MANDY and MATTHEW CLIBURN, RANDI
11 GURKA, DANA SWOYER, LORI
12 CIMONETTI, KHUSHBU DIDWANIA,
13 PRATIKKUMAR PATEL, BENJAMIN
ADAMS, on behalf of themselves and all others
similarly situated,

14 Plaintiffs,

15 v.

16 ONE SOURCE TO MARKET, LLC d/b/a
17 HEXCLAD COOKWARE,

18 Defendant.

CASE NO.: 23STCV28390

*Assigned for all purposed to the Honorable
David S. Cunningham, III*

**[PROPOSED] ORDER GRANTING
FINAL APPROVAL**

Date Action Filed: November 17, 2023
FAC Filed: December 22, 2023

Department: 11
Trial Date: TBD
Final Approval: February 20, 2026
Time: 9:30 AM

1 ~~[PROPOSED]~~ **ORDER GRANTING FINAL APPROVAL OF AMENDED CLASS ACTION**
2 **SETTLEMENT AND CERTIFYING SETTLEMENT CLASS**

3 **WHEREAS**, a Settlement Agreement was made and entered into by and among the following
4 Settling Parties: (i) Mandy Cliburn, Matthew Cliburn, Randi Gurka, Dana Swoyer, Lori Cimonetti,
5 Khushbu Didwania, Pratikkumar Patel, and Benjamin Adams (collectively the “Representative
6 Plaintiffs”), individually and on behalf of the Settlement Class Members, by and through Settlement
7 Class Counsel; and (ii) One Source to Market, LLC d/b/a Hexclad Cookware (“OSTM” or “Defendant”)
8 (the “Settlement Agreement”), for the benefit of all Released Parties, by and through the Defendant’s
9 counsel of record; and

10 **WHEREAS**, on April 22, 2025, the Court entered an Order of Preliminary Approval
11 (“Preliminary Approval Order”) that, among other things, (a) preliminarily certified a nationwide class
12 for the purposes of settlement only; (b) preliminarily approved the Settlement Agreement; (c)
13 provisionally appointed Zimmerman Reed LLP, Jennings & Earley, PLLC, and Almeida Law Group as
14 Settlement Class Counsel; (d) provisionally appointed Plaintiffs as Representative Plaintiffs or Class
15 Representative; (e) appointed Verita Global, LLC as the Claims Administrator; (f) approved the form
16 of notice to Settlement Class Members, and the method of dissemination thereof; (g) directed that the
17 notice of the Settlement be disseminated to the Class; and (h) set a hearing date for the Final Fairness
18 Hearing; and

19 **WHEREAS**, notice to the Settlement Class ordered by the Court has been disseminated as
20 ordered, according to the declaration of the Claims Administrator filed with the Court on August 29,
21 2025; and

22 **WHEREAS**, on September 15, 2025, February 10, 2206, February 20, 2026, Final Fairness
23 Hearings were held on whether the settlement set forth in the Settlement Agreement was fair, reasonable,
24 adequate, and in the best interests of the Class, such hearing date being a due and appropriate number
25 of days after such notice to the Settlement Class; and

26 **NOW THEREFORE**, having reviewed and considered the submissions presented with respect
27 to the settlement set forth in the Settlement Agreement and the record in these proceedings, having heard
28 and considered the evidence presented by the parties and any non-party objectors, as well as the

1 arguments of counsel, and having determined that the settlement set forth in the Settlement Agreement
2 is fair, reasonable, adequate, and in the best interests of the Class;

3 **IT IS HEREBY ORDERED:**

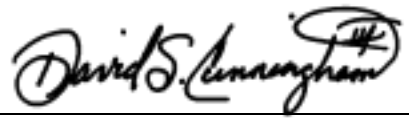
- 4 1. The Court grants final approval of the Settlement, in the gross amount of \$2,500,000.00
- 5 2. The Court incorporates by reference the definitions set forth in the Settlement Agreement
6 and the Preliminary Approval Order.
- 7 3. The Court finds it has personal and subject-matter jurisdiction over this matter, the
8 Settling Parties, and all Class Members.
- 9 4. The form, content, and method of dissemination of the notice given to the Class were
10 adequate and reasonable, and constituted the best notice practicable under the
11 circumstances.
- 12 5. The notice, as given, provided valid, due, and sufficient notice of the proposed
13 settlement, the terms and conditions set forth in the Settlement Agreement, and these
14 proceedings to all persons entitled to such notice, and said notice fully satisfied the
15 requirements of the California Rules of Court and due process.
- 16 6. The Class Representative Plaintiffs and Settlement Class Counsel fairly and adequately
17 represented the interests of Class Members in connection with the settlement set forth in
18 the Settlement Agreement. Thus, the Court appoints Zimmerman Reed LLP, Jennings &
19 Earley, PLLC, and Almeida Law Group LLC as Settlement Class Counsel. The Court
20 also appoints Plaintiffs as Representative Plaintiffs.
- 21 7. All objections to the settlement set forth in the Settlement Agreement having been
22 considered and having been found either to be mooted by the settlement or not supported
23 by credible evidence, the settlement set forth in the Settlement Agreement is in all
24 respects, fair, adequate, reasonable, proper, and in the best interests of the Class, and is
25 hereby approved.
- 26 8. Every Class Member who exercised their right to opt out of the Settlement is hereby
27 excluded from the Settlement Class.
- 28

- 1 9. Class Representative Plaintiffs, Defendant, the Claims Administrator, and Class
2 Members shall consummate the Settlement according to the terms of the Settlement
3 Agreement.
- 4 10. The Settlement Agreement, and each and every term and provision thereof, shall be
5 deemed incorporated herein as if explicitly set forth herein and shall have the full force
6 and effect of an order of this Court.
- 7 11. The Released Claims of each Class Member are hereby extinguished as against the
8 Released Persons.
- 9 12. The Court, having considered Plaintiffs' Motion for Attorney's Fees, Costs, and
10 Expenses and Service Awards to Representative Plaintiffs and Supplemental Motion for
11 Final Approval, hereby grants the Motion and awards Plaintiffs' counsel \$833,333 for
12 their attorneys' fees and \$84,837.31 for their expenses in the case. The Court further
13 awards each Representative Plaintiff a Service Award in the amount of \$2,500.00 (for a
14 total of \$20,000.00), out of the Settlement Fund in this case.
- 15 13. The Court awards the administrator Verita Global LLC \$312,000.00 for administration
16 costs in this case, per the estimate provided to the Class in the Notice approved by the
17 Court. This amount shall be capped at \$312,000.00.
- 18 14. If there are any residual funds left over after the pro rata distribution of Settlement Fund,
19 the Settlement Administrator will make a second pro rata distribution, and any residual
20 funds remaining in the Gross Settlement Fund after the second pro rata distribution will
21 be directed to the cy pres entity the California Fire Foundation.
- 22 15. The Court sets a non-appearance hearing for February 23, 2027 in Department 11. The
23 parties will submit a report on final distribution and a further Proposed Order on or before
24 February 9, 2027.
- 25 16. This Court retains continuing jurisdiction over the Settling Parties and the Class for the
26 administration, consummation, and enforcement of the terms of the Settlement
27 Agreement as set forth in the Settlement Agreement.
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1 **IT IS SO ORDERED.**

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Dated: 03/09/2026



The Honorable David S. Cunningham, III
Superior Court Judge
Los Angeles Superior Court