

William L. Marder, Cal Bar No. 170131
POLARIS LAW GROUP, LLP
501 San Benito Street, Suite 200
Hollister, California 95023
Telephone: 831.531.4214
Facsimile: 831.634.0333

Larry W. Lee, Esq. SBN 228175
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa St., Suite 1250
Los Angeles, CA 90071
Telephone: (213) 488-6555
Facsimile: (213) 488-6554

Attorneys for Plaintiff and the Class

(Additional counsel on following page)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF PLACER

**MICHAEL TEBBS, as an individual and on
behalf of all others similarly situated,**

Plaintiffs,

v.

**SUNBELT RENTALS, INC., a North
Carolina corporation; and DOES 1 through
50, inclusive,**

Defendants.

Case No. S-CV-0044313

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: August 22, 2023

Time: 8:30 a.m.

Dept.: 31

Complaint Filed: January 21, 2020

**PAUL PARKER, as an individual and on
behalf of all others similarly situated,**

Plaintiffs,

v.

**SUNBELT RENTALS, INC., a North
Carolina corporation; and DOES 1 through
50, inclusive,**

Defendants.

Case No. S-CV-0047378

Complaint Filed: September 29, 2021

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ADDITIONAL COUNSEL

Dennis S. Hyun (State Bar No. 224240)
HYUN LEGAL, APC
515 S. Figueroa St., Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile

Edward W. Choi, State Bar No. 211334
LAW OFFICES OF CHOI & ASSOCIATES, APLC
515 S. Figueroa St. Suite 1250
Los Angeles, CA 90010
Telephone: (213) 381-1515
Facsimile: (213) 465-4885

Attorneys for Plaintiffs

1 TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

2 Plaintiffs Michael Tebbs and Paul Parker's (collectively, "Plaintiffs") Motion for
3 Preliminary Approval of Class Action Settlement came before this Court, on August 22, 2023 in
4 Department 31 of the above-referenced court. The Court having considered the papers
5 submitted in support of the application of the parties, HEREBY GRANTS THE MOTION FOR
6 PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND ORDERS THE
7 FOLLOWING:

- 8 1. The Court grants preliminary approval of the settlement based upon the terms set
9 forth in the Class and PAGA Action Settlement Agreement (hereinafter referred
10 to as "Settlement Agreement") filed herewith. The Settlement appears to be fair,
11 adequate and reasonable to the Class.
- 12 2. The Settlement Agreement falls within the range of reasonableness and appears
13 to be presumptively valid, subject only to any objections that may be raised at
14 the final fairness hearing and final approval by this Court.
- 15 3. A final fairness hearing on the question of whether the proposed Settlement
16 Agreement, attorneys' fees to Class Counsel, Plaintiffs' Enhancement Awards,
17 and the Settlement Administrator's Costs should be finally approved as fair,
18 reasonable and adequate as to the members of the Class is scheduled in
19 Department 31 on the date and time set forth in the schedule in Paragraph 8
20 below.
- 21 4. This Court approves, as to form and content, the Notices of Class Action
22 Settlement in the form attached to the Settlement Agreement as Exhibit 1. The
23 Court approves the procedure for Class Members to participate in, to opt out of,
24 and to object to, the Settlement as set forth in the Settlement Agreement.
- 25 5. The Court directs the mailing of the Notice of Class Action Settlement by first
26 class mail to the Class Members in accordance with the schedule set forth below.
27 The Court finds the dates selected for the mailing and distribution of the Notice
28 of Proposed Class Action Settlement meet the requirements of due process and

provide the best notice practicable under the circumstances and shall constitute due and sufficient notice to all persons entitled thereto.

6. It is ordered that the Settlement Class is preliminarily certified for settlement purposes, which is defined as “all current and former non-exempt employees of Sunbelt in California who were paid overtime and/or double-time wages and/or meal premium wages covered by any work week in which they also received “On Call Earn” pay (as denoted on an employee’s paystub) at any time from January 13, 2016 through February 5, 2023 (the “Class Period”).”
7. The Court confirms Phoenix Class Administrators as the Settlement Administrator.
8. The Court orders the following schedule for further proceedings:

a.	Deadline for Defendant to Submit Class Data to Settlement Administrator	15 business days after Order granting Preliminary Approval
b.	Deadline for Settlement Administrator to Mail the Notice of Class Action Settlement	30 calendar days after Order granting Preliminary Approval
c.	Deadline for Class Members to Postmark Requests for Exclusions	30 calendar days after mailing of the Notice of Class Action Settlement to Class Members
d.	Deadline for Receipt by Court and Counsel of any Objections to Settlement	30 calendar days after mailing of the Notice of Class Action Settlement to Class Members
e.	Deadline for Class Counsel to file Motion for Final Approval of	20 Court days after the Deadline for Class Members to Request for

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	Settlement and Approval of Attorneys’ Fees, Costs, Administration Costs, and Enhancement Award	Exclusions and to file Objections or at least 16 court days before to the Final Fairness Hearing, whichever is sooner.
f.	Final Fairness Hearing and Final Approval	_____ a.m. on _____, 2023

IT IS SO ORDERED.

Dated: _____

JUDGE OF THE SUPERIOR COURT