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Attorneys for Plaintiff VERNELL BATTLE, JR., on behalf of himself and others

SUPERIOR COURT OF CALIFORNIA

FOR THE COUNTY OF ORANGE – CIVIL COMPLEX CENTER

VERNELL BATTLE, JR., on behalf of himself
and other similarly-situated employees,

Plaintiff,

vs.

SAFRAN CABIN, INC., a Delaware
Corporation; and DOES 1 through 25, inclusive,

Defendants.

CASE NO. 30-2020-01140831-CU-OE-CXC
ASSIGNED FOR ALL PURPOSES TO:
The Honorable Peter J. Wilson
Department CX 101

CLASS ACTION

**NOTICE ENTRY OF MINUTE ORDER
RE MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Complaint filed: May 26, 2020
Trial date: Not set

1 **TO: ALL PARTIES AND THEIR COUNSEL OF RECORD, AND TO THE LABOR AND**
2 **WORKFORCE DEVELOPMENT AGENCY:**

3 **NOTICE IS GIVEN** that on January 5, 2023, the Court issued a Minute Order Re Plaintiff's
4 Motion for Preliminary Approval of Class Action Settlement. A true and correct copy of the Court's
5 Minute Order is attached as Exhibit 1.

6 On the same date this document and its exhibit is filed with the Court, they will be served upon
7 Defendant and provided to the Labor and Workforce Development Agency ("LWDA") via the
8 LWDA's website, using the appropriate intake form.

9 Respectfully submitted,

10 COHELAN KHOURY & SINGER
11 DAVTYAN LAW FIRM, INC.

12 Dated: January 6, 2023

13 By: 
14 Isam C. Khoury
15 Marta Manus
16 Attorneys for Plaintiff Vernell Battle, Jr.

EXHIBIT 1

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER**

MINUTE ORDER

DATE: 01/05/2023

TIME: 02:00:00 PM

DEPT: CX101

JUDICIAL OFFICER PRESIDING: Peter Wilson

CLERK: V. Harting

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: I. Olivares

CASE NO: **30-2020-01140831-CU-OE-CXC** CASE INIT.DATE: 05/26/2020

CASE TITLE: **Battle vs. Safran Cabin Inc.**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

EVENT ID/DOCUMENT ID: 73892888

EVENT TYPE: Motion for Approval of Class Settlement

MOVING PARTY: Vernell Battle Jr

CAUSAL DOCUMENT/DATE FILED: Motion - Other Preliminary Approval of Class Action Settlement, 08/11/2022

APPEARANCES

No Appearance by all parties

Tentative Ruling posted on the Internet.

All parties submitted on the Court's tentative ruling.

The Court confirms the tentative ruling as follows:

Having considered the papers, including all supplemental papers, filed in connection with the unopposed Motion for Preliminary Approval of \$5,455,000.00 Class and PAGA Action Settlement, the Court GRANTS the Motion subject to the following:

\$ 7,500.00 for Plaintiff's enhancement (not to exceed);

\$ 1,818,333.33 for reasonable attorney's fees, which is 1/3 of the gross settlement amount (not to exceed);

\$ 20,000.00 for reasonable litigation costs (not to exceed);

\$ 18,000.00 for Settlement Administrator's Fees and Costs (not to exceed) and

\$ 187,500.00 for the LWDA's share (75%) of the total \$250,000 allocated for PAGA penalties.

Plaintiff is ordered to submit to the Court within 5 court days a revised Class Notice and proposed Order updating the department and to include the Settlement and Addendum as an exhibit to the proposed Order.

Plaintiff is reminded of the following from the Court's October 13, 2022 Minute Order:

"The Court has wide discretion on assessing the reasonableness of fees, including basing fees on the percentage of fund method, conducting a lodestar cross-check on a percentage fee, or foregoing a lodestar cross-check and using other means to evaluate the reasonableness of a requested percentage fee. (*Laffitte v. Robert Half Intern. Inc.* (2016) 1 Cal.5th 480, 506.)

At final approval Counsel should provide billing records in support of its fees and documentation of its

costs. Further, Plaintiff's counsel must disclose whether they have any fee-splitting arrangement with any other counsel, or confirm none exist. (*Barnes, Crosby, Fitzgerald & Zeman, LLP v. Ringler* (2012) 212 Cal.App.4th 172, 184; California Rules of Court, rule 3.769(b).)"

Plaintiff is ordered to give notice, including to the LWDA, and file a proof of service.