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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**IN AND FOR THE COUNTY OF SAN BERNARDINO**

SONNY WILLIAMS and STEVEN  
RUNKLE on behalf of themselves, all others  
similarly situated, and on behalf of the  
general public,

Plaintiffs,

v.

HANSEN & ADKINS AUTO  
TRANSPORT, INC.; HANSEN & ADKINS,  
INC.; and DOES 1-100, inclusive,

Defendants.

Case No. CIVDS2020832

*[Assigned For All Purposes to the  
Honorable Joseph T. Ortiz; Dept. S17]*

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
AND PAGA ACTION SETTLEMENT,  
APPROVAL OF CLASS NOTICE, AND  
SETTING OF FINAL APPROVAL  
HEARING DATE**

Date: April 12, 2024  
Time: 1:30 p.m.

Complaint Filed: September 25, 2020  
Trial Date: None Set

1     **I.    RECITALS**

2           This action is currently pending before this Court as a certified class action and  
3 representative action (the “Action”). Plaintiffs Sonny Williams and Steven Runkle have applied  
4 to this Court for an order preliminarily approving the settlement of the Action in accordance with  
5 the Joint Stipulation and Settlement Agreement (the “Agreement”), which together with the exhibit  
6 annexed thereto, sets forth the terms and conditions for a proposed settlement and entry of  
7 judgment upon the terms and conditions set forth therein. The Court has read and considered the  
8 Memorandum of Points and Authorities in support of Plaintiffs’ Motion for Preliminary Approval  
9 of Class and PAGA Action Settlement, Approval of Class Notice, Setting of Final Approval  
10 Hearing Date and the declarations submitted therewith. For purposes of this Order, the Court  
11 adopts all defined terms as set forth in the Agreement.

12     **II.   FINDINGS**

13           After review and consideration of the Agreement and Plaintiffs’ Motion for Preliminary  
14 Approval and the papers in support thereof, the Court hereby finds and orders as follows:

15           1.     The Agreement falls within the range of reasonableness meriting possible final  
16 approval.

17           2.     The Agreement, and the obligations of the Parties as set forth therein, is fair,  
18 reasonable, and is an adequate settlement of this case and is in the best interests of the Class in  
19 light of the factual, legal, practical, and procedural considerations raised by this case.

20           3.     The notice of proposed class action settlement attached as Exhibit A to the  
21 Agreement complies with due process because the notice of proposed class action settlement is  
22 reasonably calculated to adequately apprise Class Members of: (i) the pending lawsuit; (ii) the  
23 terms of the proposed Agreement; and (iii) their rights, including the right to either participate in  
24 the settlement, exclude themselves from the settlement, or object to the settlement. Plaintiffs’  
25 proposed plan for class notice and settlement administration is the best notice practicable under  
26 the circumstances.

27           4.     On June 13, 2023, the Court granted class certification and certified the following  
28

1 Class: All individuals who signed Independent Contractor Service Agreements (“ICSAs”) with  
2 Hansen & Adkins Auto Transport, Inc. and worked as truck drivers for Hansen & Adkins Auto  
3 Transport, Inc. in California in service of those ICSAs at any time from July 6, 2016 to June 13,  
4 2023.

5 **III. ORDER**

6 The Court having considered the papers submitted in support of the Motion for Preliminary  
7 Approval, HEREBY ORDERS THE FOLLOWING:

8 1. The Court finds on a preliminary basis that the provisions of the Agreement are  
9 fair, just, reasonable, and adequate and, therefore, meet the requirements for preliminary approval.

10 2. The Agreement provides for the following release as to Participating Class  
11 Members,<sup>1</sup> which is hereby approved conditionally: “All Participating Class Members, on behalf  
12 of themselves and their respective former and present representatives, agents, attorneys, heirs,  
13 administrators, successors, and assigns, release Defendants and the Released Parties from all wage  
14 and hour claims that were alleged, or reasonably could have been alleged, based on the facts stated  
15 in the operative Second Amended Complaint, including claims for misclassification of  
16 Participating Class Members as Independent Contractors. Participating Class Members do not  
17 release any other claims, including claims for vested benefits, wrongful termination, violation of  
18 the Fair Employment and Housing Act, unemployment insurance, disability, social security,  
19 workers’ compensation, or claims based on facts occurring outside the Class Period.” The Class  
20 Released Claims Period is July 6, 2016, through June 13, 2023.

21 3. This settlement also releases claims under the Private Attorneys General Act of  
22 2004 (“PAGA”). These claims are asserted on behalf of Aggrieved Employees defined as: “Class  
23 Members who worked for Defendants at any time from April 28, 2019, to June 13, 2023.”  
24 Aggrieved Employees may not request to be excluded from the PAGA portion of the settlement,  
25 including the Released PAGA Claims. All Aggrieved Employees will receive a portion of the

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26  
27 <sup>1</sup> A Participating Class Members is a Class Member who do not request to be excluded from the  
28 settlement.

1   PAGA Payment.

2           4.     The Agreement provides for the following release as to Aggrieved Employees,  
3   which is hereby approved conditionally: “Aggrieved Employees shall release Defendants and the  
4   Released Parties from any and all claims for civil penalties under the California Labor Code and  
5   the Private Attorneys General Act predicated upon the Labor Code violations asserted in the Notice  
6   to the LWDA, the operative Second Amended Complaint, and all Certified Claims of the Class  
7   and Sub-Classes.” The PAGA Released Claims Period is April 28, 2019, through June 13, 2023.

8           5.     The settlement appears to be fair, adequate and reasonable to the Class. The  
9   settlement falls within the range of reasonableness and appears to be presumptively valid, subject  
10   only to any objections that may be raised at the final approval hearing and final approval by this  
11   Court.

12          6.     The Court conditionally approves the request for Class Representative  
13   Enhancement Payments of \$20,000 to Plaintiff Sonny Williams and \$15,000 to Plaintiff Steven  
14   Runkle for their service as class representatives.

15          7.     Mara Law Firm, PC is conditionally approved as Class Counsel for the Class.

16          8.     The proposed awards of up to \$1,316,535 in attorneys’ fees and up to \$50,000 in  
17   actual costs payable to Class Counsel are conditionally approved.

18          9.     A final approval hearing on the question of whether the settlement, attorneys’ fees  
19   and costs to Class Counsel, and the Class Representative Enhancement Payments should be finally  
20   approved as fair, reasonable and adequate as to Class Members is scheduled in Department S17  
21   on the date and time set forth in the Implementation Schedule below.

22          10.    The Court confirms Phoenix Settlement Administrators as the Settlement  
23   Administrator.

24          11.    The proposed payment of up to \$15,000 in costs to Phoenix Settlement  
25   Administrators for its services as the Settlement Administrator is conditionally approved.

26          12.    The Court also hereby conditionally approves and orders payment from the Gross  
27   Settlement Fund of the PAGA Payment of \$100,000 (75% of which shall be paid to the Labor and

Workforce Development Agency, and 25% of which shall be distributable to PAGA Aggrieved Employees).

13. The Court approves, as to form and content, the Notice of Proposed Class Action Settlement in substantially the form attached as Exhibit A to the Agreement. The Court approves the procedure for Class Members to participate in, to opt out of, and to object to, the settlement as set forth in the notice.

14. The Court directs the mailing of the Notice of Class Action Settlement by first class mail to Class Members in accordance with the Implementation Schedule below. The Court finds the dates selected for the mailing and distribution of the notice, as set forth in the Implementation Schedule, 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.

#### **IV. IMPLEMENTATION SCHEDULE**

The Court orders the following Implementation Schedule for further proceedings:

|                                                                                                                     |                                                                              |
|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Deadline for Defendants to submit Class Data to Settlement Administrator:                                           | April 19, 2024<br>[5 business days of entry of this Order]                   |
| Deadline for Settlement Administrator to Mail Class Notices to Class Members                                        | April 26, 2024<br>[14 calendar days after receipt of the Class Data]         |
| Deadline for Settlement Administrator to Set Up Settlement Website                                                  | April 26, 2024                                                               |
| Deadline for Class Members to Postmark Requests for Exclusion, Objections, or Disputes (“Response Deadline”)        | June 10, 2024<br>[45 calendar days after mailing of Notice to Class Members] |
| Deadline for Class Members with Re-Mailed Class Notices to Postmark Requests for Exclusion, Objections, or Disputes | June 25, 2024<br>[15 calendar days after Response Deadline]                  |

|                  |                                                                                                                                                   |                                                               |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 1<br>2           | Deadline for Class Counsel to file a Motion<br>for Final Approval                                                                                 | July 9, 2024<br>[16 court days before Final Approval Hearing] |
| 3<br>4<br>5<br>6 | Deadline to Provide the Court with the<br>Settlement Administrator's Declaration<br>Outlining Requests for Exclusion,<br>Objections, and Disputes | July 9, 2024<br>[16 court days before Final Approval Hearing] |
| 7<br>8           | Final Approval Hearing and Final Approval                                                                                                         | July 31, 2024, 2024, at 1:30 p.m.                             |

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**IT IS SO ORDERED.**

Dated: \_\_\_\_\_, 2024

By \_\_\_\_\_  
Honorable Joseph Ortiz  
San Bernardino Superior Court Judge