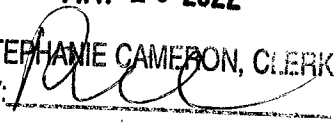


SUPERIOR COURT OF CALIFORNIA
COUNTY OF TULARE
Visalia Division
221 S Mooney Blvd, Room 303
Visalia, CA 93291
559.730.5000

FILED
TULARE COUNTY SUPERIOR COURT
VISALIA DIVISION

MAY 10 2022

STEPHANIE CAMERON, CLERK
BY: 

Haney, Carl
Plaintiff/Petitioner,

vs.

Peninsula Packaging, LLC
Defendant/Respondent.

Case No. VCU285695

CLERK'S CERTIFICATE OF SERVICE

I certify that I am not a party to this cause.

I certify that I caused the Minute Order dated May 10, 2022 to be served on the persons listed below in the following manner:

☒ BY MAIL: I placed the documents for collection and mailing on the date shown, so as to cause it to be mailed in a sealed envelope with postage fully prepaid on that date following standard court practices to the persons and addresses shown. The mailing and this certification occurred at Visalia, California on May 11, 2022.

STEPHANIE CAMERON,
CLERK OF THE SUPERIOR COURT
COUNTY OF TULARE

By 
Bethany Vasquez, Deputy Clerk

Names and Mailing/E-Mail Address of Person(s) Served:
JEFFREY BRAND
725 SOUTH FIGUEROA STREET SUITE 2500
LOS ANGELES, CA 90017

LARRY LEE
515 S FIGUEROA ST STE 1250
LOS ANGELES, CA 90071

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF TULARE**

Haney, Carl Plaintiff/Petitioner, vs. Peninsula Packaging, LLC Defendant/Respondent.	Jud. Officer: Bret Hillman Clerk: Bethany Vasquez Bailiff: Randy Nash CSR: Tamara Sumpter Interpreter: Language:
Minutes: 1. Motion Hearing 2. CMC Date: May 10, 2022	Case No. VCU285695 Department 07 Related Cases:

Appearances: ☒ No Appearances

- ☐ Party: _____
☐ Remote Appearance
☐ Party: _____
☐ Remote Appearance
☐ Party: _____
☐ Remote Appearance
☐ Other: _____
☐ Remote Appearance

☐ Attorney: _____
☐ Remote Appearance
☐ Attorney: _____
☐ Remote Appearance
☐ Attorney: _____
☐ Remote Appearance

Motion: Plaintiff's Motion for Preliminary Approval of PAGA and Class Action Settlement

☒ No requests for oral argument presented.

ORDER: The Court adopts the Tentative Ruling as the Order of the Court as follows:

To preliminarily approve the settlement. The Court notes that Plaintiff's enhancement award is approved at \$7,500. The final approval hearing is set for September 27, 2022 in Dept 7 at 8:30 am. The Case Management Conference is also continued to September 27, 2022 in Dept 7 at 8:30 am.

1. Class Notice

The class notice period has been modified to 60 days. As noted in the prior ruling, the Court regularly approves notice periods of 60 days or longer. The class notice period is preliminarily approved.

2. Enhancement Awards to Class Representatives

The court preliminarily approves Plaintiff Carl Haney as class representative.

The proposed enhancement awards to Plaintiff is \$10,000.00. The Court has, in past cases, approved enhancement awards of \$5,000.00 routinely. Plaintiff has provided a declaration that indicates he has assisted in investigation of the case, has met with attorneys, has provided information and documentation and reviewed the settlement in this matter.

Plaintiff indicates, by supplemental declaration, that he has spent approximately 23 to 25 hours engaged in telephonic discussions with his counsel, searching for and providing documents relevant to the claims in this case, and reviewing the pleadings and settlement agreement. Plaintiff expects to receive the average pay out of \$1,593.36.

Based on the above, the Court preliminarily approves an enhanced award of \$7,500.

3. Attorneys' Fees and Costs

The Court preliminarily approved the attorneys' fees sought in this matter of \$116,666.67, based on the lodestar information provided by counsel.

Counsel has further provided, via supplemental declaration, that the current costs incurred are \$15,953.18. Based on this declaration, the Court preliminarily approves costs not to exceed \$20,000.00.

4. Unclaimed Settlement Proceeds

The court preliminarily approved the distribution of unclaimed settlement proceeds to "Legal Aid At Work" in accordance with Code of Civil Procedure section 384. Plaintiff's counsel's supplemental declaration confirms that neither his law firm nor the defendant or the law firm that represents the defendant, has any interest or conflict that would preclude the appointment as *cy pres* for any unclaimed settlement proceeds in this action.

5. LWDA Notice

The supplemental declaration from counsel indicates that on March 9, 2022, notice of the settlement was provided to the LWDA and Exhibit E indicates receipt by the LWDA.

Based on the foregoing, the Court preliminarily approves the PAGA and Class Action settlement, noting that Plaintiff's enhancement award is approved at \$7,500.

The final approval hearing is set for September 27, 2022 in Dept 7 at 8:30 am. The Case Management Conference is also continued to September 27, 2022 in Dept 7 at 8:30 am.

If no one requests oral argument, under Code of Civil Procedure section 1019.5(a) and California Rules of Court, rule 3.1312(a), no further written order is necessary. The minute order adopting this tentative ruling will become the order of the court and service by the clerk will constitute notice of the order.

☒ Clerk to provide notice to parties by mail