

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BENITO

JOE BETANCUR, as an individual and on
behalf of all others similarly situated,

Plaintiffs,

v.

PRIDE CONVEYANCE SYSTEMS, INC., a
California corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. CU-21-00022

[Assigned to the Hon. Jose “Omar”
Rodriguez, Dept. 1]

**~~PROPOSED~~ ORDER GRANTING
PLAINTIFF’S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: 11/13/2024

Time: 3:30 PM a.m/p.m.

Dept.: 1

Plaintiff Joe Betancur’s (“Plaintiff”) Motion for Preliminary Approval of Class Action
Settlement came before this Court, on November 13, 2024, the Honorable Jose “Omar”
Rodriguez, Judge presiding. The Court having considered the papers submitted in support of the
application of the parties, HEREBY GRANTS THE MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT AND ORDERS THE FOLLOWING:

1. The Court grants preliminary approval of the settlement based upon the terms set forth
in the Joint Stipulation for Class Action Settlement and Release of Claims (hereinafter
referred to as “Joint Stipulation,” or “Settlement Agreement”) filed herewith. The

1 Settlement appears to be fair, adequate and reasonable to the Class.

- 2 2. The Settlement Agreement falls within the range of reasonableness and appears to be
3 presumptively valid, subject only to any objections that may be raised at the final
4 fairness hearing and final approval by this Court.
- 5 3. A final fairness hearing on the question of whether the proposed Settlement
6 Agreement, attorneys' fees to Class Counsel, the Class Representative's Enhancement
7 Award, and the Settlement Administrator's Costs should be finally approved as fair,
8 reasonable and adequate as to the members of the Class is scheduled in Department 1
9 on the date and time set forth in the schedule in Paragraph 8 below.
- 10 4. This Court approves, as to form and content, the Notice of Class Action Settlement in
11 the form attached as Exhibit A to the Joint Stipulation. The Court approves the
12 procedure for Class Members to participate in, to opt out of, and to object to, the
13 Settlement as set forth in the Settlement Agreement.
- 14 5. The Court directs the mailing of the Notice of Class Action Settlement by first class
15 mail to the Class Members in accordance with the schedule set forth below. The Court
16 finds the dates selected for the mailing and distribution of the Notice of Class Action
17 Settlement meet the requirements of due process and provide the best notice practicable
18 under the circumstances and shall constitute due and sufficient notice to all persons
19 entitled thereto.
- 20 6. It is ordered that the Settlement Class is preliminarily certified for settlement purposes,
21 which is defined as: All current and former non-exempt employees, including
22 temporary staffing employees, who worked for Defendant Pride Conveyance Systems,
23 Inc. ("Defendant") at any time in the State of California from January 1, 2019, through
24 May 18, 2024;
- 25 7. The Court confirms Xpand Legal as the Settlement Administrator.
- 26 8. The Court orders the following schedule for further proceedings:
- 27 a. Defendant and all temporary agencies who have provided employees who are
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1 members of the class, such as Infinity Staffing Services, Manpower, and Full
2 Steam Staffing, shall provide the Settlement Administrator, in electronic format
3 and within 21 calendar days upon granting of the preliminary approval Order by
4 this Court, with the Class List and Data (defined as name, address, telephone
5 number, social security number, and number of workweeks each class member
6 worked at any time from January 1, 2019 through May 18, 2024), so that the
7 Settlement Administrator can mail the Notices of Class Action Settlement to the
8 Class. Within ten (10) calendar days of receipt of the Class List and Data, the
9 Settlement Administrator shall mail out the Notices of Class Action Settlement
10 to the Class Members using the most current mailing address identified by
11 reference to the Class Information and the National Change of Address
12 (“NCOA”) database.

- 13 b. Deadline for Objection: within forty-five (45) calendar days after first mailing
14 of notice to class.
- 15 c. Deadline for Exclusion: within forty-five (45) calendar days after first mailing
16 of notice to class.
- 17 d. Filing date for Motion for Final Approval of Class Action Settlement,
18 Attorneys’ Fees and Costs, Representative Enhancement and Administration
19 Costs: 16 court days before final approval hearing.
- 20 e. Final Fairness Hearing and Final Approval set for 10:30 a.m. on
21 February 24, 2025.

22 **IT IS SO ORDERED.**

23 Dated: 12/13/2024

24 
HON. JOSE “OMAR” RODRIGUEZ
JUDGE OF THE SUPERIOR COURT