

FILED
YOLO SUPERIOR COURT
JUL 19 2024
BY L. Ramos
DEPUTY
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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF YOLO

Coordination Proceeding
Special Title (Rule 3.550)

HUMANO WAGE AND HOUR CASES

Included actions:

Hines v. Humano LLC

Emmens v. Humano LLC

Thurman v. Humano LLC

JUDICIAL COUNCIL COORDINATION
PROCEEDING
No. 5240

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO
No. 34-2022-00313411

SUPERIOR COURT OF CALIFORNIA
COUNTY OF YOLO
No. CV2021-2225

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
No. CIVSB2227784

[Assigned for all purposes to Hon. Daniel M.
Wolk, Dept. 8]

~~PROPOSED~~ ORDER GRANTING
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT

Date: July 19, 2024
Time: 10:30 a.m.
Dept.: 8

~~PROPOSED~~ ORDER GRANTING PRELIMINARY APPROVAL OF SETTLEMENT

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Attorneys for Plaintiff Doris J Thurman

1 The Motion of Plaintiffs Michael Emmens, Jermaine Hines, and Doris J. Thurman
2 (“Plaintiffs”) for Preliminary Approval of Class Action Settlement came on regularly for hearing
3 before this Court on July 19, 2024 at 10:30 a.m. This Court, having considered the proposed Joint
4 Stipulation of Class Action Settlement and Release (the “Settlement”), attached to the Declaration
5 of Sean M. Blakely filed concurrently herein; having considered Plaintiffs’ Motion for
6 Preliminary Approval of Class Action Settlement, Memorandum of Points and Authorities in
7 support thereof, and supporting declarations filed therewith; and good cause appearing, HEREBY
8 ORDERS THE FOLLOWING:

9 1. The Court GRANTS preliminary approval of the class action settlement as set
10 forth in the Settlement and finds its terms to be within the range of reasonableness of a settlement
11 that ultimately could be granted approval by the Court at a Final Fairness Hearing. For purposes
12 of the Settlement, the Court finds that the proposed Settlement Class is ascertainable and that
13 there is a sufficiently well-defined community of interest among the members of the Settlement
14 Class in questions of law and fact. Therefore, for settlement purposes only, the Court grants
15 conditional certification of the following Settlement Class:

16 All current and former non-exempt employees who worked for
17 Defendant Humano LLC in the State of California at any time from
18 December 21, 2017, through October 5, 2023 (the “Class Period”).

19 2. For purposes of the Settlement, the Court designates named Plaintiffs Michael
20 Emmens, Jermaine Hines, and Doris J. Thurman as Class Representatives, and designates Paul
21 K. Haines and Sean M. Blakely of Haines Law Group, APC; Larry W. Lee and Kristen M. Agnew
22 of Diversity Law Group, P.C.; and James R. Hawkins of James Hawkins, APLC, collectively as
23 Class Counsel.

24 3. The Court designates Pheonix Class Action Administration Solutions as the third-
25 party Settlement Administrator for mailing notices.

26 4. The Court approves, as to form and content, the Class Notice, which is attached as
27 Exhibit A to the Settlement.

28 5. The Court finds that the form of notice to the Settlement Class regarding the
pendency of the action and of the Settlement, and the methods of giving notice to members of the

1 Settlement Class, constitute the best notice practicable under the circumstances, and constitute
2 valid, due, and sufficient notice to all of the Class Members. The form and method of giving
3 notice complies fully with the requirements of California Code of Civil Procedure section 382,
4 California Civil Code section 1781, California Rules of Court 3.766 and 3.769, the California and
5 United States Constitutions, and other applicable law.

6 6. The Court further approves the procedures for the Class Members to opt out of or
7 object to the Settlement, as set forth in the Class Notice.

8 7. The procedures and requirements for filing objections in connection with the Final
9 Fairness Hearing are intended to ensure the efficient administration of justice and the orderly
10 presentation of any Class Member's objection to the Settlement in accordance with the due
11 process rights of all members of the Settlement Class.

12 8. The Court directs the Settlement Administrator to mail the Class Notice to the
13 members of the Settlement Class in accordance with the terms of the Settlement.

14 9. The Class Notice shall provide at least forty-five (45) calendar days' notice for
15 Class Members to opt out of, or object to, the Settlement.

16 10. The Final Fairness Hearing on the question of whether the Settlement should be
17 finally approved as fair, reasonable, and adequate is scheduled in Department 8 of this Court,
18 located at 1000 Main Street, Woodland, California 95695, on Dec. 20, 2024 at
19 10:30 a.m. / p.m.

20 11. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement
21 should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether
22 a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiffs'
23 application for reasonable attorneys' fees, reimbursement of litigation expenses, Enhancement
24 Payments to Plaintiffs, settlement administration costs, and payment to the Labor & Workforce
25 Development Agency ("LWDA") for penalties under the Labor Code Private Attorneys General
26 Act should be granted.

27 12. Counsel for the parties shall file memoranda, declarations, or other statements and
28 materials in support of their request for final approval of the Settlement, attorneys' fees, litigation

1 expenses, Plaintiffs' Enhancement Payments, payment to the LWDA, and settlement
2 administration costs, prior to the Final Fairness Hearing according to the time limits set by the
3 Code of Civil Procedure and the California Rules of Court.

4 13. An implementation schedule is below:

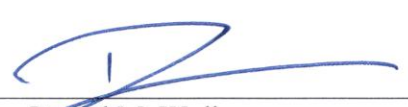
5 Event	6 Date
7 Defendant to provide Class List and Data to the Settlement 8 Administrator no later than [15 business days after 9 preliminary approval]:	August 9, 2024
10 Settlement Administrator to mail the Notice Packet to Class 11 Members no later than [15 business days after receiving 12 Class Data]:	August 30, 2024
13 Deadline for Class Members to request exclusion from, or 14 object to, the Settlement [45 calendar days after mailing]:	October 14, 2024
15 Deadline for Plaintiffs to file their Motion for Final 16 Approval of Class Action Settlement:	November 12, 2024
17 Final Fairness Hearing:	<u>Dec. 20</u> , 2024

18 14. Pending the Final Fairness Hearing, all proceedings in this action, other than
19 proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this
20 Order, are stayed.

21 15. Counsel for the parties are hereby authorized to utilize all reasonable procedures
22 in connection with the administration of the Settlement which are not materially inconsistent with
23 either this Order or the terms of the Settlement.

24 **IT IS SO ORDERED.**

25 Dated: 7/19, 2024

26 
27 Hon. Daniel M. Wolk
28 Judge of the Superior Court