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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**COUNTY OF SAN DIEGO**

MARCELINO ORTUNO, Individually, and  
on behalf of other members of the general  
public similarly situated

Plaintiff  
v.

THE HERTZ CORPORATION, a Delaware  
Corporation; DTG OPERATIONS, INC., an  
Oklahoma Corporation; and DOES 1-10,  
inclusive.

Defendants

CASE NO. 37-2022-00006731-CU-OE-CTL

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

Date: December 6, 2024  
Time: 1:30 a.m.  
Dept.: C-70  
Judge: Hon. Carolyn M. Caietti

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Plaintiff MARCELINO ORTUNO's Unopposed Motion for Conditional Certification of  
3 Settlement Class and Preliminary Approval of Good Faith Determination of Class Action Settlement,  
4 in the above-captioned matter, came on for hearing before this Court on December 6, 2024 at 1:30 p.m.  
5 Sullivan & Yaeckel Law Group, APC appeared on behalf of Plaintiff and the Class; Husch Blackwell  
6 , appeared on behalf of Defendant. On good cause shown, and pursuant to the authority of California  
7 statutory and case law, this Court finds that the settlement between Plaintiff and Defendant was made  
8 in good faith pursuant to California Rules of Court, rules 3.769 and 3.770. Accordingly, this Court  
9 rules as follows:

10 **IT IS HEREBY ORDERED THAT:**

- 11 1. Plaintiff's Unopposed Motion for Preliminary Approval of the Class Action Settlement is  
12 hereby granted.
- 13 2. Specifically, the Court preliminarily orders as follows:
  - 14 a. Conditionally certifying the following class, which is subject to the Settlement:  
15 all nonexempt employees of Hertz in California from June 30, 2021 through the date  
16 of Preliminary Approval of the Settlement.
  - 17 b. Appointing Marcelino Ortuno and Anuar Romo as Class Representatives.
  - 18 c. Appointing Sullivan & Yaeckel Law Group, APC and Bradley Grombacher LLP as  
19 Class Counsel.
  - 20 d. Approving as to form and content the proposed Notice of Class Action Settlement.
  - 21 e. Appointing CAC Services, LLC ("CAC") to act as the Settlement Administrator. CAC  
22 is directed to issue—via first-class United States mail—the Notice of Proposed Class  
23 Action Settlement to the proposed Class Members, as specified in the Joint Stipulation  
24 and Settlement of Class Action.
  - 25 f. The settlement class members are provided 30-days from dissemination of the notice  
26 to submit a dispute, object, or opt out of the proposed class action settlement.
  - 27 g. The Settlement is preliminarily approved subject only to the objections of Class  
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Members and final review by the Court.

h. Class Counsel's request for Attorneys' Fees and Costs up to an amount of \$1,100,000.00, and up to \$42,500.00 in costs, is preliminarily approved, subject to the final review of the Court.

i. The Class Representative enhancement award of \$20,000.00 (\$10,000.00 each) to Marcelino Ortuno and Anuar Romo in consideration for serving as Class Representatives is preliminarily approved, subject to final review of the Court.

3. The Court will hold a hearing on Plaintiffs' Request for: **(1)** Final Approval of the Settlement; **(2)** Class Representative Enhancement Awards; and **(3)** Attorneys' Fees and Costs, on March 7, 2025 at 8:30 a.m. in department C-70.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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HON. CAROLYN M. CAIETTI  
JUDGE OF THE SUPERIOR COURT