

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

JUN 02 2025

BY Amber M. Gear
AMBER M. GEAR, DEPUTY

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

THOMAS FOSTER BYLER III, individually
and on behalf of all others similarly situated,

Plaintiff,

vs.

CROWN CASTLE USA INC.; and DOES 1
through 20, inclusive,

Defendants.

Case No. CIVSB2204108

Assigned for all purposes to
Hon. Corey G. Lee
Dept. S37

**~~PROPOSED~~ ORDER GRANTING FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT AND ENTERING
JUDGMENT**

Date: June 2, 2025
Time: 8:30 a.m.
Dept: S37

**~~PROPOSED~~ ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND
ENTERING JUDGMENT**

1 This matter came on for hearing on June 2, 2025, at 8:30 a.m., in Department S37 of the
2 above-captioned Court on Plaintiff Thomas Foster Byler III's ("Plaintiff") Motion for Final
3 Approval of Class Action Settlement pursuant to California Rule of Court 3.769, this Court's
4 Order Granting Preliminary Approval, and the Class Action and PAGA Settlement Agreement
5 and Class Notice ("Settlement Agreement") entered into between Plaintiff and Defendant Crown
6 Castle USA Inc. ("Defendant"), a copy of which was filed as Exhibit 1 to the Declaration of
7 Kristy R. Connolly in Support of Plaintiff's Motion for Final Approval of Class Action
8 Settlement.

9 Having received and considered the Settlement Agreement, the supporting papers filed by
10 the Parties, and the evidence and argument received by the Court in conjunction with the
11 unopposed Motion for Preliminary Approval of Class Action Settlement and the instant Motion
12 for Final Approval, the Court grants final approval of the Settlement and HEREBY ORDERS
13 AND MAKES THE FOLLOWING DETERMINATIONS:

14 1. Pursuant to the Order Granting Preliminary Approval, a Notice Packet was sent to
15 each Class Member by first-class mail. These papers informed the Class of the terms of the
16 Settlement, their right to receive an Individual Settlement Payment, their right (a) to comment on
17 or object to the Settlement, (b) to request exclusion from the Settlement and pursue their own
18 remedies, and (c) of their right to appear in person or by counsel at the final approval hearing and
19 to be heard regarding approval of the Settlement. Adequate periods of time were provided by
20 each of these procedures. No member of the Class filed written objection to the proposed
21 Settlement as part of this notice process or stated an intention to appear at the final approval
22 hearing.

23 2. The Court finds and determines that this notice procedure afforded adequate
24 protections to Class Members and provides the basis for the Court to make an informed decision
25 regarding approval of the Settlement based on the responses of the Class. The Court finds and
26 determines that the notice provided in this case was the best notice practicable, which satisfied
27 the requirements of law and due process.

1 3. With respect to the Class and for purposes of approving this Settlement only, this
2 Court finds and concludes that: (a) the members of the Class are ascertainable and so numerous
3 that joinder of all members is impracticable; (b) there are questions of law or fact common to the
4 Class, and there is a well-defined community of interest among members of the Class with respect
5 to the subject matter of the Action; (c) the claims of the Class Representative are typical of the
6 claims of the members of the Class; (d) the Class Representative has fairly and adequately
7 protected the interests of the members of the Class; (e) a class action is superior to other available
8 methods for an efficient adjudication of this controversy; and (f) the counsel of record for the
9 Class Representative, i.e., Class Counsel, are qualified to serve as counsel for Plaintiff in their
10 individual and representative capacities for the Class.

11 4. The Court has certified a Class, as that term is defined in and by the terms of the
12 Settlement Agreement as all current and former non-exempt employees employed by Crown
13 Castle USA Inc. at any time during the Class Period. The Class Period means August 29, 2017
14 to July 16, 2024. The Court deems this definition sufficient for purposes of California Rule of
15 Court 3.765(a).

16 5. The Court hereby confirms Aegis Law Firm, PC as Class Counsel.

17 6. The Court hereby confirms Plaintiff Thomas Foster Byler III as the Class
18 Representative in this Action.

19 7. The Court finds and determines that the terms set forth in the Settlement
20 Agreement are fair, reasonable, and adequate and directs the Parties to effectuate the Settlement
21 according to its terms, having found that the Settlement was reached as a result of informed and
22 non-collusive arm's-length negotiations facilitated by a neutral mediator. The Court further finds
23 that the Parties conducted extensive investigation and that their attorneys were able to reasonably
24 evaluate their respective positions. The Court also finds that the Settlement will enable the Parties
25 to avoid additional and potentially substantial litigation costs, as well as delay and risks if the
26 Parties were to continue to litigate the case. The Court has reviewed the monetary recovery
27 provided as part of the Settlement and recognizes the significant value accorded to the Class.
28

1 8. The Court further finds and determines that the terms of the Settlement are fair,
2 reasonable and adequate to the Class and to each Participating Class Member and that the
3 Settlement is ordered finally approved, and that all terms and provisions of the Settlement should
4 be and hereby are ordered to be consummated.

5 9. The Court hereby approves the Gross Settlement Amount of \$1,327,500.00.

6 10. The Court finds and determines that the Individual Settlement Payments to be paid
7 to Participating Class Members as provided for by the Settlement are fair and reasonable. The
8 Court hereby gives final approval to and orders the payment of those amounts be made to the
9 Participating Class Members in accordance with the Settlement Agreement.

10 11. The Court finds and determines that payment to the California Labor and
11 Workforce Development Agency of \$22,750.00 as its share of the settlement of civil penalties in
12 this case is fair, reasonable, and appropriate. The Court hereby gives final approval to and orders
13 that the payment of that amount be paid in accordance with the Settlement Agreement.

14 12. The Court finds and determines that the fees and expenses in administering the
15 Settlement incurred by ILYM Group, Inc. in the amount of \$6,450.00, are fair and reasonable.
16 The Court hereby gives final approval to and orders that the payment of that amount in accordance
17 with the Settlement.

18 13. The Court finds and determines the Class Representative Service Payment of
19 \$15,000 for Plaintiff is fair and reasonable. The Court hereby orders the Administrator to make
20 this payment to the Plaintiff/Class Representative in accordance with the terms of the Settlement
21 Agreement.

22 14. Pursuant to the terms of the Settlement, and the authorities, evidence and argument
23 submitted by Class Counsel, the Court hereby awards Class Counsel attorneys' fees in the sum of
24 \$442,500 and litigation costs of \$21,728.26. The Court finds such amounts to be fair and
25 reasonable. The Court hereby orders the Settlement Administrator to make these payments in
26 accordance with the terms of the Settlement Agreement.

1 15. Nothing in this order shall preclude any action to enforce the Parties' obligations
2 under the Settlement or under this order, including the requirement that Defendant makes payment
3 to the Participating Class Members in accordance with the Settlement.

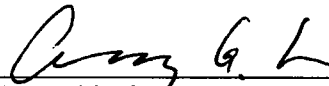
4 16. The Court hereby enters final judgment in accordance with the terms of the
5 Settlement Agreement and this Order granting final approval of the Settlement.

6 17. This Judgment is intended to be a final disposition in its entirety of the above
7 captioned action. Without affecting the finality of this judgment in any way, the Court retains
8 jurisdiction of all matters relating to the interpretation, administration, implementation,
9 effectuation, and enforcement of the Settlement pursuant to Code of Civil Procedure section
10 664.6.

11 18. The Parties will bear their own costs and attorneys' fees except as otherwise
12 provided by this Court's Order awarding Class Counsels' Award for attorneys' fees and litigation
13 costs.

14 19. The Court sets a Hearing Re: Distribution of Settlement Funds for May 6, 2026,
15 at 8:30 a.m. Class Counsel are ordered to file a Final Report Re: Distribution of the Settlement
16 Funds by the Administrator five court days prior.

17
18 DATED: 6/2/2025



Honorable Corey G. Lee **Corey G. Lee**
JUDGE OF THE SUPERIOR COURT