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

LEON BLANCHE, an individual;
JUAN BAZABAL, an individual; and
KEINARD SIMPSON, an individual, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

GREYHOUND LINES, INC, a Delaware
corporation; and DOES 1 through 10, Inclusive,

Defendants.

Case No.: 37-2023-00009121-CU-OE-CTL

Assigned to: Judge Loren G. Freestone
Department: C-64

CLASS ACTION

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: May 10, 2024
Time: 10:30 a.m.

1 This matter came on for hearing on May 10, 2024 in Department 64 of the above-captioned
2 Court on Plaintiffs' Motion for Preliminary Approval of Class Action Settlement ("Motion").

3 Having fully reviewed the Motion, the supporting Memorandum of Points and Authorities,
4 Declaration of Ben Travis, Declaration of Justin Hewgill (and its exhibits), including the Class Action
5 Settlement Agreement ("Settlement"), and the Notice Packet attached as an exhibit to the Settlement
6 ("Class Notice"), and in recognition of the Court's duties (to make a preliminary determination as to
7 the reasonableness of any proposed class action settlement; to ensure proper notice is provided to all
8 Class Members in accordance with due process requirements; and to set a Final Approval Hearing to
9 consider the good faith, fairness, adequacy and reasonableness of the proposed Settlement), the Court
10 makes the following determinations and orders:

11 1. The Court conditionally finds, for the purposes of approving this settlement only, the
12 proposed Class meets the requirements for certification under § 382 of the California Code of Civil
13 Procedure: (a) the proposed Class is ascertainable and so numerous that joinder of all members of the
14 Class is impracticable; (b) there are questions of law or fact common to the proposed Class, and a well-
15 defined community of interest among members of the proposed Class with respect to the subject matter
16 of the class action; (c) the claims of the Class Representatives are typical of the claims of the members
17 of the proposed Class; (d) the Class Representatives do and fairly and adequately will continue to
18 protect the interests of the Class; (e) a class action is superior to other available methods for an efficient
19 adjudication of this controversy in the context of settlement; and (f) counsel of record for the Plaintiffs
20 are qualified to serve as Class Counsel for the Class.

21 2. The Court finds, on a preliminary basis, the Settlement, incorporated by this reference
22 in full, and made a part of this Order, appears to be within the range of reasonableness of a settlement
23 which could ultimately be given final approval by this Court.

24 3. The Court further finds, on a preliminary basis: (a) the non-reversionary Gross
25 Settlement Amount is fair and reasonable to the Class when balanced against the probable outcome of
26 further litigation relating to class certification, liability and damages issues, and potential appeals;
27 (b) significant investigation, research, and informal discovery, have been conducted such that counsel
28 for the Parties are able to reasonably evaluate their respective positions; (c) settlement at this time will

1 avoid substantial costs, delay, and risks presented by further prosecution of the litigation; and (d) the
2 proposed Settlement was reached through intensive, serious, and non-collusive negotiations facilitated
3 by an experienced mediator.

4 4. Accordingly, good cause appearing, the Motion for Order Granting Preliminary
5 Approval of Class Action Settlement is **GRANTED**.

6 5. Class Members are therefore defined pursuant to the terms set forth in the Settlement.

7 6. The Court further finds that the proposed Class Notice fairly and adequately advises
8 Class Members of (a) the pendency of the Class Action Settlement; (b) conditional Class certification
9 for settlement purposes only; (c) preliminary Court approval of the proposed Settlement; (d) the date,
10 time and place of the Final Approval Hearing; (e) the terms of the proposed Settlement and the benefits
11 available to Class Members under the Settlement; (f) their right to receive a proportionate share of the
12 Net Settlement Amount without the need to return a claim form; (g) their right to request exclusion,
13 and the procedures and deadline for doing so; (h) their right to object to the Settlement, and the
14 procedure and deadline for doing so; and (i) their right to appear at the Final Approval Hearing.

15 7. The Court further finds that the proposed Class Notice provides the best practicable
16 notice to the Class and clearly comports with all constitutional requirements, including those of due
17 process.

18 8. The Court further finds that mailing of the Class Notice to the last known address of all
19 Class Members with measures taken for verification of an address and skip tracing of bad addresses, as
20 specifically described within the Settlement, constitutes an effective method of notifying Class
21 Members of their rights with respect to the class action and the Settlement.

22 9. Accordingly, for good cause, the Court **APPROVES** the Class Notice for distribution
23 to the Class pursuant to the notice procedures set forth in full in the Settlement.

24 10. Accordingly, it is ORDERED that:

25 a. CPT Group, Inc. is appointed as the Administrator of the Settlement, as more
26 specifically set forth in the Settlement;

27 b. Ben Travis of Ben Travis Law, APC and Justin Hewgill of Hewgill Cobb &
28 Lockard, APC are appointed as Class Counsel;

1 c. Plaintiffs Leon Blanche, Juan Bazabal and Keinard Simpson are appointed as
2 Class Representatives;

3 d. Not later than thirty (30) days after the date the Court grants preliminary
4 approval of the Settlement, Defendant shall provide to the Administrator for each Class Member the
5 following information in a Microsoft Office Excel (or similar) format: (1) first and last name; (2) last
6 known mailing address; (3) social security number; (4) number of Compensable Workweeks; and (5)
7 number of PAGA Pay Periods ("Class Data");

8 e. Within twenty one (21) days after its receipt of the Class Data, the Settlement
9 Administrator shall mail the Class Notice, to each member of the Class by first class, regular U.S. mail,
10 using the most current mailing address information available, with measures taken for updating an
11 address as provided by the terms of the Settlement.

12 f. On or before forty-five (45) calendar days from the date the Settlement
13 Administrator first mails the Class Notice to Class Members (or, the next business day that is not a
14 Sunday or holiday) (the "Response Deadline"), Class Members who wish to exclude themselves from
15 the Class must submit a written Request for Exclusion. Class Members who fail to submit a valid and
16 timely written Request for Exclusion on or before the Response Deadline shall be bound by all terms
17 of the Settlement and any final judgment entered in this Action if the Settlement is approved by the
18 Court.

19 g. Any Class Member who desires to object must send a written Notice of
20 Objection by the Response Deadline or appear at the Final Approval Hearing to explain their
21 objection(s). A Notice of Objection must (1) state the full name of the Class Member; (2) be signed by
22 the Class Member; (3) state the grounds for the objection; and (4) be postmarked by the Response
23 Deadline and returned to the Settlement Administrator at the specified address.

24 h. On or before the Response Deadline, Class Members who wish to dispute the
25 information upon which their individual settlement share will be calculated must postmark and return
26 to the Administrator an explanation in writing describing why he or she believes the information is
27 incorrect, along with any supporting information and/or documentation as described in the Class
28 Notice.

1 11. IT IS FURTHER ORDERED that if for any reason the Court does not execute and file
2 an Order Granting Final Approval of Class Action Settlement, or if the Effective Date, as defined in
3 the Settlement, does not occur for any reason whatsoever, the proposed Settlement that is the subject
4 of this Order, and all evidence and proceedings had in connection therewith, shall be restored without
5 prejudice to the *status quo ante*, as more specifically set forth in the Settlement.

6 12. The Court reserves the right to continue the Final Approval Hearing without further
7 notice to the Class. However, if written objections are submitted, Class Counsel is ordered to serve
8 notice on any such objecting Class Member of the new date and time of the Final Approval Hearing.

9 13. IT IS FURTHER ORDERED that the Final Approval Hearing shall be held before the
10 undersigned at _____ [hearing time] on _____ [hearing date], in
11 Department 64 of the Superior Court of California, County of San Diego located at 330 W Broadway,
12 San Diego, California 92101. At the Final Approval Hearing, the Court will consider the fairness,
13 adequacy, and reasonableness of the proposed Settlement preliminarily approved in this Order, and to
14 consider the application for Class Representative Service Payments to the Class Representatives,
15 Settlement Administrator expenses to the third-party Settlement Administrator, and Class Counsel's
16 attorneys' fees and litigation expenses incurred.

17
18 **IT IS SO ORDERED.**

19
20 Date: _____

The Honorable Loren G. Freestone
Judge of the Superior Court