

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

Patrick Wilson Plaintiff/Petitioner(s) VS. Pacific Bell Telephone Company, a California corporation Defendant/Respondent (s)	No. 23CV046794 Date: 10/23/2025 Time: 3:00 PM Dept: 25 Judge: Jenna Whitman ORDER re: Hearing on Motion - Other Motion for Preliminary Approval; filed by Patrick Wilson (Plaintiff) CRS# 355760326375 filed by Patrick Wilson (Plaintiff) on 10/01/2025
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The Tentative Ruling in this matter was published and was not contested. Tentative Ruling is affirmed as follows.

The Motion for Preliminary Approval of Settlement filed by Patrick Wilson on 10/01/2025 is Granted.

The unopposed motion of Plaintiff Patrick Wilson for preliminary approval of class and representative action settlement, provisional certification of the proposed class, appointment of class representative and class counsel, appointment of third-party settlement administrator, approval of proposed class notice, and setting of hearing for final approval, is GRANTED.

To protect the interests of absent class members, class action settlements must be reviewed and approved by the Court. (*Dunk v. Ford Motor Co.* (1996) 48 Cal.App.4th 1794, 1800.) California follows a two-stage procedure for court approval: first, the Court reviews the form of the terms of the settlement and form of settlement notice to the class and provides or denies preliminary approval; later, the Court considers objections by class members and grants or denies final approval. (Cal. Rules of Court, rule 3.769.)

The First Amended Complaint asserts class claims for violation of California's Kin Care Policy and sick leave requirements, and seeks penalties under the Private Attorney General Act

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(“PAGA”).

The proposed settlement amount in this case is \$225,000, to be allocated as follows: Attorneys’ fees not to exceed \$75,000 (33.3%); reasonable litigation costs not to exceed \$5,000; a class representative service payment to Plaintiff Wilson of \$7,500; a PAGA penalty in the amount of \$11,250, to be distributed pursuant to Labor Code section 2699; and administration settlement expenses not to exceed \$47,000. There are approximately 9,500 class members and approximately 6,800 aggrieved employees.

In concluding that the proposed Settlement Agreement is reasonable and represents an arm’s length transaction entered into without self-dealing or other potential misconduct, the Court gives considerable weight to the competency and integrity of counsel. (See *Kullar v. Foot Locker Retail, Inc.* (2008) 168 Cal.App.4th 116, 129.)

The Court preliminarily approves the Settlement Agreement. (Pyle Decl., Exh. 1.) This is based on the Court’s determination that the proposed settlement is within the range of possible final approval. The Court finds that the proposed class and PAGA releases are appropriately limited in scope.

The Court approves the proposed Notice of Settlement of Class Action (“Notice”). (Settlement Agreement Ex. A.) The Notice shall be provided to class members in the manner set forth in the Settlement Agreement.

The Court approves Plaintiff’s appointment as class representative, and the appointment of Plaintiff’s counsel as class counsel, and conditionally certifies the class as set forth in the moving papers, Settlement Agreement, and Notice. The Court approves the appointment of Atticus Administration as Settlement Administrator.

In the event there are uncashed checks, the Court provisionally approves the use of a re-mailing process to a forwarding address or an address ascertained through other means. The Court provisionally approves the proposed procedure of transmitting unnegotiated checks to the California Controller’s Unclaimed Property Fund in the name of the class member, leaving no “unpaid residue” subject to Code of Civil Procedure section 384(b).

The Court will not approve the amount of attorneys’ fees until the final approval hearing. The Court cannot award attorneys’ fees without reviewing information about counsel’s hourly rate and the time spent on the case. This is the law even if the parties have agreed to the fees. (*Robbins v. Alibrandi* (2005) 127 Cal.App.4th 438, 450-451.) Counsel must provide sufficient information for a lodestar analysis, such as task-based summaries. (See, e.g., *Syers Properties III, Inc. v. Rankin* (2014) 226 Cal.App.4th 691, 700 [discussing task-based summaries of hours billed]; *Laffitte v. Robert Half Int’l Inc.* (2006) 1 Cal.5th 480, 505 [permitting counsel to submit summaries in support of reasonableness of lodestar].) The Court anticipates requiring 10% of any fee award to be kept in the administrator’s trust fund until the completion of the distribution process and court approval of a final accounting.

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The Court tentatively sets this matter for hearing on April 23, 2026, at 3:00 pm. in Department 25, for final approval of the Class Action and PAGA Settlement Agreement, and attorneys' fees and costs. The hearing will be confirmed once Plaintiff files the moving papers.

At that hearing, the Court will hear and decide the question of whether the proposed settlement should be finally approved as fair, reasonable, and adequate as to the class. At that time, the Court will also consider Plaintiff's application for attorneys' fees, costs, settlement administration expenses, and the class representative service payment. Should the parties need additional time before the Court hears the motion for final approval, they are ordered to request a continuance at least 30 days before the scheduled hearing.

Dated : 10/23/2025

A handwritten signature in black ink, appearing to read 'Jenna Whitman', written over a horizontal line.

Jenna Whitman / Judge