

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

Stuart Ambler
Plaintiff/Petitioner(s)
VS.
LINKEDIN CORPORATION, a
Delaware corporation doing
business as LinkedIn et al
Defendant/Respondent
(s)

No. 23CV049040
Date: 12/11/2025
Time: 10:00 AM
Dept: 18
Judge: Patrick McKinney

ORDER re: Hearing on Motion for
Order Finally Approving
Class Action Settlement
CRS# 045894897288 filed
by Stuart Ambler
(Plaintiff) on 11/17/2025

The Motion for Final Approval of Settlement filed by Stuart Ambler on 11/17/2025 is Granted.

BACKGROUND

This is a wage-and-hour class action and PAGA representative action involving claims for reimbursement for the use of personal cell phones for work-related purposes. Plaintiff seeks final approval of a \$1,500,000.00 settlement, including an attorney's fees of up to \$450,000.00; reimbursement of \$20,544.93 in litigation costs; a service award of \$10,000.00 for the representative plaintiff; settlement administration costs of \$30,597.00, and \$170,000.00 in PAGA civil penalties, 75% of which is paid to the LWDA and 25% distributed to aggrieved employees. The remaining funds are to be distributed to class members on a pro rata basis, with an estimated average payment of \$109.50.

LEGAL STANDARD

To prevent "fraud, collusion or unfairness to the class, the settlement or dismissal of a class action requires court approval." (*Dunk v. Ford Motor Co.* (1996) 48 Cal.App.4th 1794, 1800.) A court "must determine the settlement is fair, adequate, and reasonable." (*Id.* at p. 1801.) A "'presumption of fairness exists where: (1) the settlement is reached through arm's-length bargaining; (2) investigation and discovery are sufficient to allow counsel and the court to act intelligently; (3) counsel is experienced in similar litigation; and (4) the percentage of objectors is small.'" (*Kullar v. Foot Locker Retail, Inc.* (2008) 168 Cal.App.4th 116, 128 [quoting *Dunk*, *supra*, at p. 1801].)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

Similarly, a “trial court should evaluate a PAGA settlement to determine whether it is fair, reasonable, and adequate in view of PAGA’s purposes to remediate present labor law violations, deter future ones, and to maximize enforcement of state labor laws.” (*Moniz v. Adecco USA, Inc.* (2021) 72 Cal.App.5th 56, 77 [noting overlap of factors in class action analysis, “including the strength of the plaintiff’s case, the risk, the stage of the proceeding, the complexity and likely duration of further litigation, and the settlement amount”].)

DISCUSSION

As discussed in the order granting preliminary approval, the parties mediated and reached settlement after arm’s length negotiations, and counsel conducted sufficient investigation and discovery to allow counsel and the court to act intelligently. Counsel cites significant experience in litigating class actions. (Pyle Decl., ¶¶ 8–24.) The settlement administrator mailed 6,875 notices, of which 65 were undeliverable after skip-tracing attempts. (Romo Decl., ¶¶ 6–9.) The administrator received no written objections in response to the class notice and only three requests for exclusion. (Romo Decl., ¶¶ 11, 12.) The terms of the settlement and notice procedures are approved as fair, reasonable and adequate.

Counsel’s requests for a 30% attorney’s fee award and reimbursement of documented costs are approved. Although the court’s benchmark for service awards is \$7,500.00, Mr. Ambler attests an unusually high level of involvement and hours spent on the case. (See Ambler Decl., filed May 14, 2025, ¶¶ 3, 11–12, 18–33.) The court, therefore, exercises its discretion to approve a \$10,000.00 service award.

ORDER

Plaintiff’s motion is GRANTED.

As noted in the order, ten percent of the attorney’s fee award must be kept in the administrator’s trust fund until the completion of the distribution process and court approval of a final accounting. Unclaimed funds should not be distributed to the designated cy pres recipients until the court approves the accounting.

The final compliance hearing regarding distribution and accounting is set for October 7, 2026, at 1:30 p.m. in Department 18.

Compliance Hearing distribution and accounting is scheduled for 10/07/2026 at 01:30 PM in Department 18 at Rene C. Davidson Courthouse.

The Court orders counsel to obtain a copy of this order from the eCourt portal.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

Dated : 12/11/2025

A handwritten signature in black ink, appearing to read 'P. McKinney'.

Patrick McKinney / Judge