

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Annabel Blanchard FIRM NAME: Blackstone Law, APC STREET ADDRESS: 8383 Wilshire Blvd, Suite 745 CITY: Beverly Hills TELEPHONE NO.: (310) 622-4278 EMAIL ADDRESS: ablanchard@blackstonepc.com ATTORNEY FOR (name): Plaintiff FRANK BRECKENRIDGE SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA STREET ADDRESS: 1225 Fallon Street MAILING ADDRESS: 1225 Fallon Street CITY AND ZIP CODE: Oakland, California 94612 BRANCH NAME: Rene C. Davidson Courthouse	STATE BAR NUMBER: 258135 STATE: CA ZIP CODE: 90211 FAX NO.: (855) 786-6356 FOR COURT USE ONLY
PLAINTIFF/PETITIONER: FRANK BRECKENRIDGE DEFENDANT/RESPONDENT: PACIFIC MATERIAL HANDLING SOLUTIONS, INC et al	
NOTICE OF ENTRY OF JUDGMENT OR ORDER (Check one): ☒ UNLIMITED CASE (Amount demanded exceeded \$35,000) ☐ LIMITED CASE (Amount demanded was \$35,000 or less)	CASE NUMBER: 24CV070227

TO ALL PARTIES :

1. A judgment, decree, or order was entered in this action on (date): August 4, 2026
2. A copy of the judgment, decree, or order is attached to this notice.

Date: August 5, 2026

Annabel Blanchard

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

Annabel Blanchard
 (SIGNATURE)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

FRANK BRECKENRIDGE et al
Plaintiff/Petitioner(s)
VS.
PACIFIC MATERIAL
HANDLING SOLUTIONS, INC
et al
Defendant/Respondent
(s)

No. 24CV070227
Date: 08/04/2026
Time: 2:30 PM
Dept: 21
Judge: S. Raj Chatterjee

ORDER Hearing on Motion for Order
Final Approval of Class
Action and PAGA
Settlement; filed by
FRANK BRECKENRIDGE
(Plaintiff) CRS#
268505381130 filed by
FRANK BRECKENRIDGE
(Plaintiff) on

Prior to the hearing, the Court issued a tentative ruling, which was not contested and was affirmed as set forth below.

The Motion for Final Approval of Settlement filed by FRANK BRECKENRIDGE on 07/13/2026 is Granted.

The motion of plaintiffs for final approval of class action and PAGA settlement is GRANTED.

APPROVAL OF THE SETTLEMENT

The complaint alleges various Labor Code claims.

The case preliminarily settled for a total of \$500,000. The settlement agreement states there will be attorneys' fees of up to \$ 175,000 (35%), costs of up to \$30,000, Service Payment of \$10,000 to Plaintiff; a PAGA payment of \$50,000 (\$37,500 to the LWDA), and administrative expenses of up to \$6,000. After these expenses, the amount available to be distributed to the Class would be \$229,000. There are an estimated 113 Class Members, so the average net recovery for each class member would be \$2,026.

ORDER Hearing on Motion for Order Final Approval of Class Action and
PAGA Settlement; filed by FRANK BRECKENRIDGE
(Plaintiff) CRS# 268505381130 filed by FRANK
BRECKENRIDGE (Plaintiff) on

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

The motion makes an adequate analysis as required by *Kullar v. Foot Locker Retail, Inc.* (2008) 168 Cal.App.4th 116.

The proposed class notice form and procedure are adequate. There have been no objections to and one opt out.

The proposed class is appropriate for class certification.

The unclaimed funds will be distributed to Legal Aid at Work. This is consistent with CCP 384.

APPROVAL OF FEES, COSTS, AND SERVICE AWARD

"Because absent class members are not directly involved in the proceedings, oversight to ensure settlements are fair and untainted by conflict is the responsibility of both the class representative and the court." (*Mark v. Spencer* (2008) 166 Cal.App.4th 219, 227.) "[T]horough judicial review of fee applications is required in all class action settlements and the fairness of the fees must be assessed independently of determining the fairness of the substantive settlement terms. (*Consumer Privacy Cases* (2009) 175 Cal.App.4th 545, 555-556.)

The court starts with its benchmark, then cross-checks with the lodestar, and makes adjustments if the benchmark is significantly different from the lodestar. (*Laffitte v. Robert Half Internat. Inc.* (2016) 1 Cal.5th 480, 505 ["If the multiplier calculated by means of a lodestar cross-check is extraordinarily high or low, the trial court should consider whether the percentage used should be adjusted"].)

The Ninth Circuit's benchmark is 25%. (*Laffitte v. Robert Half Internat. Inc.* (2016) 1 Cal.5th 480, 495.)

When using the percentage of recovery approach, this court's benchmark for fees is 30% of a total fund. Courts have benchmarks ranging from 25% to 33%. *Laffitte v. Robert Half Internat. Inc.* (2016) 1 Cal.5th 480, 495; *Schulz v. Jeppesen Sanderson, Inc.* (2018) 27 Cal.App.5th 1167, 1175; *Consumer Privacy Cases* (2009) 175 Cal.App.4th 545, 557 fn 13; *Chavez v. Netflix, Inc.* (2008) 162 Cal.App.4th 43, 66 fn 11; *Schulz v. Jeppesen Sanderson, Inc.* (2018) 27 Cal.App.5th 1167, 1175.) The benchmark of 30% of \$500,000 suggests fees of \$150,000.

When cross-checking with the lodestar/multiplier, the court will evaluate the lodestar based on reasonable fees that would have been charged at hourly rates and then apply a multiplier. The multiplier includes contingent fee risk and other factors.

Counsel assert they spent approximately 190 hours on the case. This is reasonable. (*Blanchard Dec.* para 29)

The court finds that a blended rate of \$700 is appropriate for the case. (*Meridian Financial Services, Inc. v. Phan* (2021) 67 Cal.App.5th 657, 708-709 [blended rate]; *Espejo v. Copley*

ORDER Hearing on Motion for Order Final Approval of Class Action and
PAGA Settlement; filed by FRANK BRECKENRIDGE
(Plaintiff) CRS# 268505381130 filed by FRANK
BRECKENRIDGE (Plaintiff) on

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

Press, Inc. (2017) 13 Cal.App.5th 329, 337 [blended rate]; 569 East County Boulevard LLC v. Backcountry Against the Dump, Inc. (2016) 6 Cal.App.5th 426, 438-440 fn 14, fn 16 [blended rate.] Regarding the amount of the blended rate, the court considers the evidence and its own knowledge and familiarity with the legal market. (Meridian Financial Services, Inc. v. Phan (2021) 67 Cal.App.5th 657, 709.)

This results in a lodestar of \$133,000.

The court applies a 1.2 multiplier for risk. This results in a multiplier adjusted lodestar of \$159,600.

Considering the percentage analysis fees of \$150,000 and the multiplier adjusted lodestar fees of \$159,600, the court will award fees of \$150,000. This is the Court's benchmark. The Court does not find any facts that warrant a departure from its benchmark, either upwards or downwards. The award of fees is appropriate to compensate counsel in this case, to incentivize the prosecution of meritorious cases, and does not result in an unreasonable windfall to counsel at the expense of their clients.

The court approves costs of \$24,608.21.

The court approves settlement administration costs of \$6,000.

The court approves a total award of \$10,000 to Plaintiff. Plaintiff submitted a declaration with evidence. (Clark v. American Residential Services LLC (2009) 175 Cal.App.4th 785, 804-807.)

SETTLEMENT ADMINISTRATION

"The settlement-fund proceeds, having been generated by the value of the class members' claims, belong solely to the class members." (Klier v. Elf Atochem North America, Inc. (5th Cir. 2011) 658 F.3d 468, 474.) "Ultimately, "[t]he goal of any distribution method is to get as much of the available damages remedy to class members as possible and in as simple and expedient a manner as possible.'" (In re LIBOR-Based Financial Instruments Antitrust Litigation (S.D.N.Y. 2018) 327 F.R.D. 483, 496.) If there are unclaimed funds after an initial distribution to the class members, then the Court can order a second distribution to the class members who cashed their initial checks. (4 Newberg & Rubenstein on Class Actions (6th ed. 2022) §§ 12:28, 12:30.)

The Court ORDERS that a compliance hearing on final distribution is set for 2/1/27.

The Court ORDERS that at least five court days before the compliance hearing on final distribution the plaintiff must file a statement regarding the status of the distribution including total funds distributed to class, total number and dollar value of checks cashed, and total number and dollar value of checks not cashed.

The Court ORDERS that funds not be distributed to the cy pres beneficiary until after Court approval of a final accounting.

ORDER Hearing on Motion for Order Final Approval of Class Action and
PAGA Settlement; filed by FRANK BRECKENRIDGE
(Plaintiff) CRS# 268505381130 filed by FRANK
BRECKENRIDGE (Plaintiff) on

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

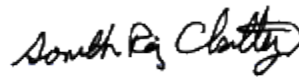
The Court ORDERS that 10% of any fee award to be kept in the administrator's trust fund until after Court approval of a final accounting.

The court ORDERS that counsel for plaintiff transmit the appropriate documents to the Judicial Council. (CCP 384.5; Govt Code 68520.)

Compliance Hearing re: Final Distribution is scheduled for 02/01/2027 at 02:30 PM in Department 21 at Rene C. Davidson Courthouse.

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

Dated : 08/04/2026

A handwritten signature in black ink, appearing to read "S. Raj Chatterjee".

S. Raj Chatterjee / Judge

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ALAMEDA

I, Bany Funez, certify and declare as follows:

I am over eighteen years of age and not a party to the within action; my business address is 8383 Wilshire Blvd, Suite 745, Beverly Hills, California 90211. On August 05, 2026, I served a copy of the following document(s):

• **NOTICE OF ENTRY OF JUDGMENT OR ORDER**

On the interested parties as follows:

ALLISON B. MOSER
EVAN CAMPBELL
COBLENTZ PATCH DUFFY & BASS LLP
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ef-egc@cpdb.com

Attorneys for Defendant
PACIFIC MATERIAL HANDLING SOLUTIONS, INC.

☒ **BY ELECTRONIC MAIL (E-MAIL):** I caused said document(s) to be delivered electronically to be delivered to the above referenced addressee(s) via email from email address bfunez@blackstonepc.com pursuant to California Code of Civil Procedure section 1010.6(e)(1). I did not receive any electronic message or other indication that the transmission was unsuccessful.

☒ **BY ONLINE SUBMISSION:** The above-referenced documents were transmitted to the California Labor and Workforce Development Agency through the online system established for the submission of notices and documents, in conformity with California Labor Code section 2699(I). I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☒ **STATE:**

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 05, 2026 at Beverly Hills, California.

/s/ Bany Funez
Bany Funez