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10 Attorneys for Plaintiff Becerra and the
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11

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF LOS ANGELES – SPRING STREET**

14 **STEPHEN BROUGH and EDGAR R.**
15 **BECERRA, individuals, on behalf of**
themselves and others similarly situated

16 **PLAINTIFFS,**

17 **v.**

18 **GLOBAL PARATRANSIT, INC.; REZA**
19 **NASROLLAHY, An Individual; and, DOES**
20 **1 to 50, Inclusive,**

21 **DEFENDANTS.**

Case No. BC616177; *Related Case* BC619163
[Case Assigned for All Purposes to Hon.
Carolyn B. Kuhl]

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

Date: July 3, 2019
Time: 10:00 a.m.
Dept.: SSC - 12

Received

JUN 11 2019

~~Fax Filing~~
Room 111C

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Attorneys for Plaintiff Brough and the Proposed Class

1 The Motion for Preliminary Approval of the Class Settlement came before this Court, the
2 Honorable Carolyn B. Kuhl presiding. The Court, having considered the papers submitted in
3 support of the motion of the parties, **HEREBY ORDERS THE FOLLOWING:**

4 1. The Court grants preliminary approval of the Settlement and the Settlement Class
5 based upon the terms set forth in the Settlement Agreement filed herewith. The Settlement
6 appears to be fair, adequate, and reasonable to the Class.

7 2. For purposes of this Order, the Class is defined as follows: all drivers who are or
8 were employed by Defendants within the State of California who worked one or more pay
9 periods from April 7, 2012 to March 18, 2019.

10 3. The Settlement falls within the range of reasonableness and appears to be
11 presumptively valid, subject only to any objections that may be raised at the final fairness
12 hearing and final approval by this Court.

13 4. A final fairness hearing on the question of whether the proposed Settlement,
14 attorneys' fees to Class Counsel, and the claims administration costs should be finally approved
15 as fair, adequate, and reasonable as to the members of the Class is scheduled for
16 _____ at _____ (Pacific Time), in Department 12.

17 5. The Court approves, as to form and content, the Notice of Settlement in
18 substantially the form attached as Exhibit 1 to the Settlement Agreement. The Court approves the
19 procedure for Class Members to opt out and object to the Settlement as set forth in the Notice of
20 Settlement.

21 6. The Court directs the mailing of the Notice of Settlement and related documents
22 to Class Members by first class mail in accordance with the Implementation Schedule set forth
23 below. The Court finds that the dates selected for the mailing and distribution of the Notice of
24 Settlement, as set forth in the Implementation Schedule, meet the requirements of due process
25 and provide the best notice practicable under the circumstances and shall constitute due and
26 sufficient notice to all persons entitled thereto.

27 7. It is ordered that the Settlement Class is preliminarily certified for settlement
28 purposes only.

1 8. The Court confirms as Class Counsel attorneys Eric B. Kingsley and Ari J. Stiller
2 of Kingsley & Kingsley, APC and David Deason and Matthew Archbold of Deason & Archbold.

3 9. The Court confirms Stephen Brough and Edgar Becerra as class representatives.

4 10. The Court approves Rust Consulting as the Settlement Administrator.

5 11. The Court orders that pursuant to the California Private Attorneys General Act,
6 Labor Code §§ 2698, et seq. ("PAGA"), notice of this Settlement has been and will continue to
7 be given to the Labor & Workforce Development Agency.

8 12. The Court orders the following Implementation Schedule for further proceedings:

9

10	a.	Preliminary Approval	July 3, 2019
11	b.	Deadline for Defendant to Provide Names and Addresses of Class Members to Claims Administrator	10 days from Preliminary Approval
12			
13	c.	Mail Notice to Class Members	14 days from Receipt of List
14			
15	d.	Deadline for Postmark of Any Request for Exclusion	60 Days from Mailing of Notices
16			
17	e.	Deadline for Postmark of Any Written Objection	60 Days from Mailing of Notices
18			
19	f.	Deadline for Class Counsel to File Motion for Final Approval of Class Settlement	To be determined by the Court
20			
21	g.	Deadline for Class Counsel to File Motion for Attorneys' Fees	To be determined by the Court
22			
23	h.	Final Approval Hearing	
24			

25 IT IS FURTHER ORDERED that if the Court does not execute and file an Order of Final
26 Approval, or if the Effective Date of settlement, as defined in the Settlement Agreement, does
27 not occur for any reason, the Settlement Agreement and the proposed Settlement that is the
28 subject of this Order, and all evidence and proceedings had in connection therewith, shall be

1 without prejudice to the status quo ante rights of the Parties to the litigation, as more specifically
2 set forth in the Settlement Agreement.

3 12. IT IS FURTHER ORDERED that, pending further Order of this Court, all
4 proceedings in this matter except those contemplated herein and in the Settlement Agreement are
5 hereby stayed.

6 13. The Court expressly reserves the right to adjourn or continue the Final Approval
7 and Fairness Hearing from time to time without further notice to members of the Settlement
8 Class.

9
10 DATED: _____

11 _____
12 JUDGE OF THE SUPERIOR COURT
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1 (PROOF OF SERVICE)

2 [CCP 1013(a)(3)]

3 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

4 I am employed in the County of Los Angeles, State of California. I am over the age of 18
5 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite
6 1200, Encino, California 91436.

7 On June 11, 2019, I served all interested parties in this action the following documents
8 described as [PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF CLASS
9 ACTION SETTLEMENT by placing a true copy thereof enclosed in a sealed envelope addressed
10 as follows:

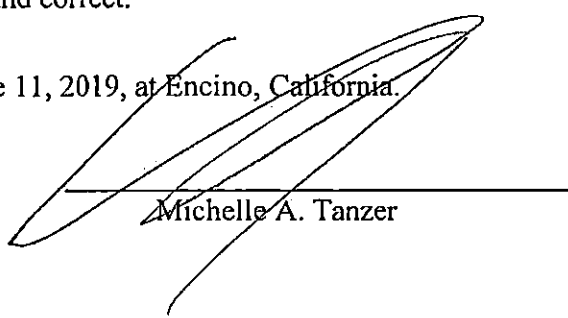
11 SEE ATTACHED PROOF OF SERVICE MAILING LIST
12 (CONT. NEXT PAGE)

13 [XX] (BY MAIL) I am "readily familiar" with the firm's practice of collection and processing
14 correspondence for mailing. Under that practice it would be deposited with U.S. postal
15 service on that same day with postage fully prepaid at Encino, California in the ordinary
16 course of business. I am aware that on motion of the party served, service is presumed
invalid if postal cancellation date or postage meter date is more than one day after date of
deposit for mailing in affidavit.

17 [XX] BY ELECTRONIC MAIL THROUGH CASE ANYWHERE: On interested parties set
18 forth on the attached service list.

19 [XX] (STATE) I declare under penalty of perjury under the laws of the State of California that
20 the above is true and correct.

21 Executed on June 11, 2019, at Encino, California.

22
23 
24 Michelle A. Tanzer
25
26
27
28

PROOF OF SERVICE MAILING LIST

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