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OCT 29 2018
 Filed
 ROSA JUNQUEIRO, CLERK
 By 
 DEPUTY

5 Attorneys for Plaintiff and the Putative Class

6
 7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 8 FOR THE COUNTY OF SAN JOAQUIN
 9

10 Jackie Thompson, individually and on behalf
 of all others similarly situated,

11 Plaintiff,

12 v.

13 Cheema Frieghtlines, a California Limited
 Liability Company, and DOES 1-10,

14 Defendant.

Case No. STK-CV-UOE-2017-11658

CLASS ACTION

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

Date: October 26, 2018

Time: 9:00 a.m.

Dept.: 11B

Judge: Hon. Roger Ross

Complaint Filed: November 1, 2017

FAC Filed: August 31, 2018

Trial Date: None Set

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 19
 20
 21 Plaintiff's unopposed Motion for Preliminary Approval of a Class Action Settlement
 22 came before this Court, on October 26, 2018, the Honorable Roger Ross presiding. The Court
 23 having considered the papers submitted in support of the application of the parties, HEREBY
 24 ORDERS THE FOLLOWING:

25 1. The Court grants preliminary approval of the Settlement and the Settlement
 26 Class based upon the terms set forth in the Joint Stipulation of Settlement and Release of Class
 27 Action ("Settlement Agreement") attached as **Exhibit A** to the Declaration of Jonathan Melmed
 28 on in support of Plaintiff's Notice of Motion and Memorandum in Support of Motion for

1 Preliminary Approval of Class Action Settlement. All terms used herein shall have the same
2 meaning as defined in the Settlement Agreement. The settlement set forth in the Settlement
3 Agreement appears to be fair, adequate and reasonable to the Class.

4 2. The Settlement falls within the range of reasonableness and appears to be
5 presumptively valid, subject only to any objections that may be raised at the final fairness
6 hearing and final approval by this Court.

7 3. A final fairness hearing on the question of whether the proposed Settlement,
8 attorneys' fees and costs to Class Counsel, and the Class Representative's Enhancement Award
9 should be finally approved as fair, reasonable and adequate as to the members of the Class is
10 scheduled in Department 11B on the date and time set forth in the implementation schedule in
11 Paragraph 10 below.

12 4. This Court approves, as to form and content, the Notice of Proposed Class
13 Action Settlement and Hearing Date for Court Approval ("Class Notice"), in substantially the
14 form attached to the Settlement Agreement as **Exhibit 1**, and the Share Form in substantially
15 the form attached thereto as **Exhibit 2**. The Court approves the procedure for Class Members to
16 participate in, to opt out of, and to object to, the Settlement as set forth in the Settlement
17 Agreement.

18 5. The Court directs the mailing of the Class Notice, and the Share Form by first
19 class mail to the Class Members in accordance with the Implementation Schedule set forth
20 below. The Court finds the dates selected for the mailing and distribution of the Notice and the
21 Share Form, as set forth in the Implementation Schedule, meet the requirements of due process
22 and provide the best notice practicable under the circumstances and shall constitute due and
23 sufficient notice to all persons entitled thereto.

24 6. It is ordered that the Settlement Class is preliminarily certified for settlement
25 purposes only.

26 7. The Court confirms Plaintiff Jackie Thompson as Class Representative, and
27 Jonathan Melmed of Melmed Law Group P.C. as Class Counsel.

28 8. The Court appoints CPT Group, Inc. as the Settlement Administrator.

1 9. To facilitate administration of the Settlement pending final approval, the Court
 2 hereby enjoins Plaintiff and all Class Members from filing or prosecuting any claims, suits or
 3 administrative proceedings (including filing claims with the Division of Labor Standards
 4 Enforcement of the California Department of Industrial Relations) regarding claims released by
 5 the Settlement, unless and until such Class Members have filed valid Requests for Exclusion
 6 with the Settlement Administrator and the time for filing claims with the Settlement
 7 Administrator has elapsed.

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


11	a.	Deadline for Defendant to Submit Class Member Information to Settlement Administrator	[Within 14 days after the Preliminary Approval Date]
12			
13	b.	Deadline for Settlement Administrator to Mail Notice to Class Members	[Within 28 days following the Preliminary Approval Date]
14			
15	c.	Deadline for Class Members to Postmark Share Forms with Challenges	[30 days after mailing of the Class Notice and Share Form]
16			
17	d.	Deadline for Class Members to Postmark Requests for Exclusion	[30 days after mailing of the Class Notice and Share Form]
18			
19	e.	Deadline for Class Members to submit any Objections to Settlement	[30 days after mailing of the Class Notice and Share Form]
20			
21	f.	Deadline for Class Counsel to file Motion for Final Approval of Settlement, including Request for Attorneys' Fees, Costs, and Enhancement Award	[16 Court days prior to Final Approval and Fairness Hearing] January 21, 2019
22			
23	g.	Final Approval and Fairness Hearing	February 6, 2019 at 9:00 <u>(a.m.)</u> /p.m.
24			
25			
26	h.	Deadline for Defendant deposit First Installment of \$100,000 of the Gross Settlement Amount to the Settlement Administrator	[On or before December 31, 2018, pursuant to the Payment Plan, S.A. I, 39]
27			
28			

1	i.	Deadline for Defendant to deposit Second Installment of \$100,000 of the Gross Settlement Amount to the Settlement Administrator	[On or before July 2, 2019, pursuant to the Payment Plan, S.A. I, 39]
2			
3			
4	j.	Deadline for Defendant to deposit Third Installment of \$100,000 of the Gross Settlement Amount to the Settlement Administrator	[On or before January 2, 2020, pursuant to the Payment Plan, S.A. I, 39]
5			
6			
7	k.	Deadline for Defendant to deposit Fourth and Final Installment of \$100,000 of the Gross Settlement Amount to the Settlement Administrator	[On or before July 2, 2020, pursuant to the Payment Plan, S.A. I, 39]
8			
9			
10	l.	Deadline for Settlement Administrator to distribute Settlement Awards, Enhancement Award, and Class Counsel's Fees and Expenses	[Within 5 business days of receipt of the fourth and final payment, pursuant to the Payment Plan]
11			
12			
13	m.	Settlement Administrator to File Proof of Payment of Settlement Awards, Enhancement Award, Attorneys' Fees and Costs (if Settlement is Effective)	[Within 120 calendar days of the Final Payment Date]
14			
15			

16
17 11. If any of the dates in this Implementation Schedule falls on a weekend, bank or
18 court holiday, the time to act shall be extended to the next business day.

19 **IT IS SO ORDERED.**

20 Dated: OCT 29 2018

21 
22 _____
23 Hon. Roger Ross