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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

KATHLEEN B. LATHAM, an individual; on
behalf of herself and all other similarly
situated current and former employees,

Plaintiff,

vs.

LEE HECHT HARRISON, LLC, and DOES
1 through 100, Inclusive,

Defendant.

Case No. 8:20-cv-01769

**ORDER GRANTING
PLAINTIFF’S MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date:
Time:
Judge: Hon. David O.Carter
Crtrm.: 9B

1 The Court, having read the papers filed with regard to Plaintiff’s motion for
2 preliminary approval of a class action settlement, hereby FINDS AND ORDERS as follows:

3 The settlement agreement attached as Exhibit 1 to the Declaration of Mark C. Thomas
4 filed on March 7, 2022 resulted from extensive arms-length negotiation and is within the range
5 of possible approval, and, subject to further consideration at the final approval hearing
6 described below, is preliminarily approved as fair, reasonable and adequate.

7 In accordance with the settlement agreement, the Court hereby conditionally certifies a
8 class pursuant to Federal Rules of Civil Procedure 23(b)(3) consisting of all class members
9 (*i.e.*, that did not opt out) in the litigation *Kathleen Latham v. Lee Hecht Harrison, LLC*,
10 United States District Court for the Central District of California, Case No. 8:20-cv-01769
11 (“Settlement Class”). The Court finds that this Settlement Class, consisting of approximately
12 400 individuals, is so numerous that joinder of all members is impracticable. The Court
13 further finds that the Settlement Class is ascertainable.

14 The Court finds that there are questions of law or fact that are common to the
15 Settlement Class that predominate any individualized questions of law or fact. Such questions
16 include whether Defendant Lee Hecht Harrison, LLC (“LHH”) failed to pay its employees in
17 compliance with Labor Code § 204, failed to pay its employees for all hours worked, failed to
18 provide legally compliant meal periods and rest breaks, failed to reimburse its employees for
19 business expenses, provided inaccurate wage statements, and otherwise engaged in unlawful
20 conduct prohibited by the California Business & Professions Code.

21 The Court finds that the claims of Plaintiff Kathleen Latham are typical of the claims of
22 the members of the class and that she will fairly and adequately protect the interests of the
23 Settlement Class. Certification of the Settlement Class is superior to other available methods
24 for the fair and efficient adjudication of the controversy. Accordingly, Kathleen Latham is
25 hereby appointed Class Representative; her counsel of record, the Law Office of Mark C.
26 Thomas, APC and the Pettis Law Firm LLP, are adequate counsel and hereby appointed
27 counsel for the Settlement Class.

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1 The Court finds that in the present case mailed notice via first class mail is the best
2 practicable method of notice that is reasonably calculated to apprise members of the Settlement
3 Class of the settlement agreement and their rights. The Court also finds that the proposed
4 notice is sufficient to inform members of the Settlement Class of the terms of the settlement,
5 their rights under the settlement, including, but not limited to, their right to object to the
6 settlement, and the processes for doing so; and the date and location of the final approval
7 hearing. Accordingly, the proposed notice and notice plan set out in the settlement agreement
8 is approved.

9 Pursuant to the terms of the settlement agreement, CPT Group shall act as the
10 settlement administrator in this case. The settlement administrator is hereby directed to mail
11 the approved notice by first-class mail to members of the Settlement Class as specified by the
12 settlement agreement. The settlement administrator shall re-mail any notice returned with a
13 forwarding address within three (3) days following receipt of the returned mail. For any
14 notices returned to the settlement administrator without a forwarding address, the settlement
15 administrator shall within five (5) days of receipt of the returned notice, conduct a search for a
16 more current address for the class member and re-mail the notice to the class member to any
17 more current address located. The parties are further directed to carry out and comply with the
18 terms of the settlement agreement, particularly with respect to providing the settlement
19 administrator the information and data necessary to carry out its duties.

20 Any Settlement Class member who wishes to comment on or object to the settlement or
21 Class Counsel's proposed fees and costs award shall have until sixty (60) days after the
22 mailing of the notice to submit his or her comment or objection, pursuant to the procedures set
23 forth in the settlement agreement and class notice. Any request to opt out of the settlement
24 must include :(1) the class member's name, (2) the class member's address, (3) the class
25 member's telephone number, (4) the class member's written statement that he or she requests
26 to be excluded from the settlement, and (5) the dated signature of the class member.

27 A hearing is hereby set for July 11, 2022 at 8:00 a.m. in Courtroom 9D of
28 this Court to consider any objections that may be filed and to determine whether the proposed

1 settlement is fair, reasonable and adequate and should be finally approved, and to determine
2 the amount of attorneys' fees, costs, and expenses to be paid to Class Counsel, and the amount
3 of the service award to Plaintiff. Class Counsel shall file their motion for a class representative
4 payment and an award of attorneys' fees and costs by June 6, 2022. The Court reserves the
5 right to continue the date of the final approval hearing without further notice to the Settlement
6 Class.

7 Any class member may appear at the final approval hearing in person, or by his or her
8 own attorney, and show cause why the Court should not approve the settlement, or object to
9 the motion for the award of the class representative payment and the Class Counsel fees and
10 costs. Any attorney representing the class member must file a notice of appearance with the
11 Court and serve the notice of appearance on Class Counsel and counsel for the LHH, no later
12 than seven days prior to the hearing set above in paragraph 8.

13 Good cause appearing, the proceedings in this case are hereby stayed, except for
14 proceedings for purposes of effectuating the settlement.

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16 IT IS SO ORDERED.

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18 DATED: March 31, 2022


19 HON. DAVID O. CARTER
20 UNITED STATES DISTRICT COURT JUDGE
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