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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ROBERT QUINTERO, individually
and on behalf of all similarly situated
individuals,

Plaintiff,

vs.

MILLER MILLING COMPANY, LLC,
a California corporation, and Does 1-10,
inclusive,

Defendants.

Case No.: CV 19-07459-DMG (JCx)

**ORDER GRANTING PRELIMI-
NARY APPROVAL OF CLASS AC
TION SETTLEMENT [19]**

1 The Court has considered Plaintiff Robert Quintero’s Motion for Preliminary
2 Approval of Class Action Settlement (“Motion”), the Class Action Settlement Agree-
3 ment and Joint Stipulation (“Settlement” or “Settlement Agreement”), the proposed
4 Class Notice and Request for Exclusion, the declarations of Julian Burns King, Robert
5 Quintero, and Julie Green, and all other papers and pleadings on file in this action, and
6 hereby finds and orders as follows:

7 1. The Court finds on a preliminary basis that (a) the Settlement is fair, ade-
8 quate, and reasonable; (b) the Gross Settlement Amount and Net Settlement Amount
9 are fair, adequate, and reasonable when balanced against the probable outcome of fur-
10 ther litigation relating to class certification, liability, and damages issues; (c) sufficient
11 investigation has been conducted such that the parties’ respective counsel at this time
12 are able to reasonably evaluate their respective positions; (d) settlement at this time
13 will avoid substantial additional costs to all parties, as well as avoid the delay and risk
14 that attends further litigation; and (e) the Settlement was reached as the result of non-
15 collusive, arm’s length negotiations.

16 2. The Court conditionally certifies, for settlement purposes only, the fol-
17 lowing Class: “*All non-exempt employees who were employed by Defendant in Cali-*
18 *fornia and performed work in either the mill, maintenance, or sanitation departments*
19 *at any time during the period from July 26, 2015 to February 28, 2020 who do not opt*
20 *out of this Settlement.” The Court finds preliminarily, pursuant to Federal Rule of Civil*
21 *Procedure 23(e), that Class Members are ascertainable and sufficiently numerous that*
22 *joinder of all Class Members is impracticable; there are questions of law and fact com-*
23 *mon to the Class that predominate over any questions affecting only individual Class*
24 *Members; Plaintiff’s claims are typical of those in the Class; Class treatment is a su-*
25 *perior method for adjudicating this action in a fair and efficient manner; the Class Rep-*
26 *resentative can fairly and adequately protect the Class Members’ interests; and Class*
27 *Counsel are qualified to serve as counsel for Plaintiff in his individual capacity and as*
28 *a representative of the Class.*

1 3. The Court appoints Julian Burns King, Elliot J. Siegel, and John L.
2 Schwab of King & Siegel LLP as Class Counsel for settlement purposes. Class Coun-
3 sel is authorized to act on behalf of the Class Members with respect to the Settlement.
4 Any Class Member may enter an appearance through their own counsel at their own
5 expense. Any Class Member who does not enter an appearance or appear on his or her
6 own behalf will be represented by Class Counsel.

7 4. The Court finds on a preliminary basis that the Settlement appears to be
8 within the range of reasonableness of a settlement that could ultimately be given final
9 approval by this Court. The Court has reviewed the monetary recovery that is being
10 granted in connection with the Settlement and recognizes its significant value to the
11 Class.

12 5. The Court appoints Robert Quintero as Class Representative for settle-
13 ment purposes.

14 6. The Court appoints CPT Group, Inc. as Settlement Administrator.

15 7. The Court approves as to form and content, subject to the revisions that
16 the Court has proposed to counsel via email, the Rule 23 Class Notice, attached to the
17 Settlement Agreement as **Exhibit A**. The Settlement Administrator is ordered to mail
18 the documents attached as **Exhibit A** to the members of the Settlement Class as pro-
19 vided in the Settlement.

20 8. Each Settlement Class member will have 35 days after the date on which
21 the Settlement Administrator mails the Class Notice to opt out, submit a dispute, or
22 object to the Settlement, as described in the Settlement Agreement and the Class No-
23 tice.

24 9. The Court will conduct a final approval hearing on July 31, 2020, at 10:00
25 a.m., to confirm the overall fairness of the settlement and to fix the amount of reason-
26 able attorneys' fees and costs to Class Counsel and enhancement payments to the Class
27 Representative. The Final Approval Hearing may be continued without further notice
28 of the Class Members. Class Counsel shall file their motion for reasonable attorneys'

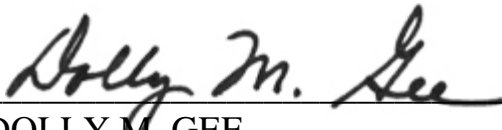
1 fees, costs, and the Class Representative payments sought in the Settlement, on or be-
 2 fore June 24, 2020. Class Counsel shall file their motion for final settlement approval
 3 on or before July 17, 2020.

4 10. An implementation schedule is below:

<u>Event</u>	<u>Date</u>
Defendant to provide Settlement Class Member List to Settlement Administrator	May 25, 2020
Settlement Administrator to mail Notice Packets	June 3, 2020
Class Counsel to file Motion for Attorneys' Fees, Costs, and Class Representative Service Award	June 24, 2020
Deadline for a Settlement Class Member to Request Exclusion, Submit a Dispute, and/or Object to Settlement	July 8, 2020
Plaintiff to file Motion for Final Settlement Approval	July 17, 2020
Final Approval Hearing	July 31, 2020, at 10:00 a.m.

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 19 **IT IS SO ORDERED.**

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 21 Dated: May 15, 2020

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 24 DOLLY M. GEE
 25 UNITED STATES DISTRICT JUDGE
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