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12/02/2020

Sherri R. Carter, Executive Officer / Clerk of Court

By: M. Lopez Deputy

DAVID G. SPIVAK (SBN 179684)
david@spivaklaw.com
MARALLE MESSRELIAN (SBN 316974)
maralle@spivaklaw.com
THE SPIVAK LAW FIRM
16530 Ventura Blvd., Suite 203
Encino, CA 91436
Telephone: (818) 582-3086
Facsimile: (818) 582-2561

Attorneys for Plaintiffs,
VIKKI CURL and ANTHONY J. GRATTON, and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT
(UNLIMITED JURISDICTION)

VIKKI CURL, and ANTHONY J. GRATTON,
individually and as “Aggrieved Employees” on
behalf of other “Aggrieved Employees” under
the Labor Code Private Attorney General Act of
2004,

Plaintiff(s),

vs.

REEL SECURITY CORP., a California
corporation; REEL SECURITY CALIFORNIA,
INC., a California corporation; MARIO
RAMIREZ, an individual; BRADLEY BUSH,
an individual; and DOES 1 through 50,
inclusive,

Defendant(s).

Case No.: 18STCV09302

**~~PROPOSED~~ ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Action filed: December 21, 2018
Hearing Date: December 2, 2020
Hearing Time: 8:30 a.m.
Hearing Dept: 58, Hon. John P. Doyle
Reservation: 288259120719

1 TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL:

2 The Motion of Plaintiff Anthony J. Gratton (“Plaintiff”) for Preliminary Approval of
3 Class Action Settlement (the “Motion”) came on regularly for hearing before this Court in Dept.
4 58 on December 2, 2020 at 8:30 a.m. The Court, having considered the proposed Joint
5 Stipulation of Class Action and PAGA Representative Action Settlement and Release (the
6 “Settlement” or “Agreement”), attached as Exhibit 1 to the Declaration of David Spivak filed
7 concurrently with the Motion, having considered the Motion, Memorandum of Points and
8 Authorities in support thereof, and supporting declarations filed therewith, and good cause
9 appearing therefor, HEREBY ORDERS THE FOLLOWING:

10 1. The Court GRANTS preliminary approval of the class action settlement as set
11 forth in the Settlement and finds that its terms, as further set forth in the Settlement, appear to be
12 proper, to be within the range of reasonableness of a settlement that ultimately could be granted
13 approval by the Court at a Final Fairness Hearing, to be the product of arms-length negotiations,
14 to treat the settlement class members fairly and to be presumptively valid, subject only to
15 objections that may be raised. Therefore, for settlement purposes only, the Court grants
16 conditional certification of the following Settlement Class:

17 All individuals Defendants employed in California as hourly employees and
18 who worked as uniformed security guard employees and other employees of
19 Defendants in comparable positions during the Class Period.
20 “Class Period” means the period of time from June 27, 2014 through the date on
which the Court grants preliminary approval of the Settlement)

21 2. The Court’s conditional certification of a class for settlement purposes only is
22 not deemed a concession or admission by Defendants Reel Security Corp. and Reel Security
23 California, Inc., Maria Ramirez, and Bradley Bush. If the settlement is not finally approved,
24 Defendant retains all rights to assert the action should not be certified as a class, and the
25 Settlement and all actions taken to effectuate it shall be vacated and not offered, received or
26 construed as evidence for any purpose.

1 3. For purposes of the Settlement, the Court designates named Plaintiff Anthony J.
2 Gratton as Class Representative and designates David G. Spivak of The Spivak Law Firm as
3 Class Counsel.

4 4. The Court designates CPT Group, Inc. as the third-party Settlement
5 Administrator for mailing notices.

6 5. The Court approves, as to form and content, the Notice of Proposed Class Action
7 Settlement (the "Notice"), attached as Exhibit A to the Settlement.

8 6. The Court finds that the form of notice to the Settlement Class regarding the
9 pendency of the action and of the Settlement, and the methods of giving notice to members of
10 the Settlement Class, constitute the best notice practicable under the circumstances, constitute
11 valid, due, and sufficient notice to all members of the Settlement Class, and satisfies the
12 requirements of due process. The form and method of giving notice complies fully with the
13 requirements of California Code of Civil Procedure section 382, California Civil Code section
14 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions,
15 and other applicable law.

16 7. The Court further approves the procedures for Settlement Class Members to opt
17 out of or object to the Settlement, as set forth in the Notice.

18 8. The procedures and requirements for filing objections in connection with the
19 Final Approval Hearing are intended to ensure the efficient administration of justice and the
20 orderly presentation of any Settlement Class Member's objection to the Settlement, in
21 accordance with the due process rights of all Class members.

22 9. The Court directs the Settlement Administrator to mail the Notice to the
23 members of the Plaintiff Class in accordance with the terms of the Settlement.

24 10. The Notice shall provide 60 calendar days' notice for members of the Plaintiff
25 Class to opt out of, or object to, the Settlement.

26 11. The Final Approval Hearing on the question of whether the Settlement should be
27 finally approved as fair, reasonable, and adequate is scheduled in Department 58 of this Court,
28

April 29

located at 111 N. Hill Street, Los Angeles, California 90012 on April 29, 2021 at 8:30 a.m. / ~~p.m.~~

12. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiff's application for attorneys' fees, reimbursement of litigation expenses, service award to Plaintiff, settlement administration costs, and payment to the Labor and Workforce Development Agency ("LWDA") for civil penalties under the Labor Code Private Attorneys General Act ("PAGA") should be granted.

13. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of the Settlement, attorneys' fees, litigation expenses, Plaintiff's enhancement award, settlement administration costs, and payment to the LWDA for PAGA penalties prior to the Final Fairness Hearing according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

14. An implementation schedule is below:

Event	Timing
Defendants to provide Settlement Administrator with the list of Class Members and all required Class Member's Data:	Within 10 calendar days after the Court's entry of this Order
Settlement Administrator to mail the Class Notice to the Class Members:	15 calendar days after receiving the Class Data
Deadline for Class Members to request exclusion from, or object to the Settlement:	Within 60 calendar days of the date of the initial mailing of the Notice
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	No less than 30 calendar days prior to the Final Fairness Hearing
Final Fairness Hearing	<p style="text-align: right;"><u>April 29</u>, 2021</p> <p>at <u>8:30</u> a.m. / p.m.</p>

15. Pending the Final Approval Hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement and

1 this Order, are stayed. Further, to facilitate administration of this settlement pending Final
2 Approval, the Court hereby preliminarily enjoins Plaintiff and all other class members from
3 filing, prosecuting, commencing, intervening or participating in any lawsuits or regulatory,
4 arbitration, administrative or other proceedings (including, but not limited to, claims with the
5 state Division of Labor Standards Enforcement or LWDA), regarding claims released by the
6 Settlement, unless and until they have validly opted out.

7 16. Counsel for the parties are hereby authorized to utilize all reasonable procedures
8 in connection with the administration of the Settlement which are not materially inconsistent
9 with either this Order or the terms of the Settlement.

10 17. The Court reserves the right to adjourn or continue the date of the Final Approval
11 hearing and all other dates provided for in this Order and Settlement, without further notice to
12 the class and to approve the settlement with modifications, if any, expressly consented to by
13 Class Counsel and Defendants' counsel, without further class notice.

14 **IT IS SO ORDERED.**

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17 Dated: December 02, 2020



18 **John P. Doyle**
19 Honorable John P. Doyle
20 Judge of the Superior Court
21 John P. Doyle / Judge