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Attorneys for Plaintiff EVERETT KING
individually, and on behalf of others similarly
situated

FILED
Superior Court of California
County of Los Angeles

MAR 02 2021

Herri R. Carr, Secretary/Clerk
Alfredo Morales deputy
ALFREDO MORALES

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES— SPRING STREET

EVERETT KING, individually and on
behalf of all others similarly situated.

Plaintiff,

vs.

RUSS BASSETT CORP., a California
Corporation; and DOES 1 through 10,
inclusive,

Defendants.

CASE NO. 19STCV20135

[Assigned for all purposes to the
Honorable Amy D. Hogue]

CLASS ACTION

**SECOND AMENDED [PROPOSED]
ORDER GRANTING PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: February 4, 2021
Time: 2:00 p.m.
Dept.: SSC-7

Complaint Filed: June 10, 2019

RECEIVED
FEB 03 2021
FILING WINDOW

1
2 Plaintiff Everett King's ("Plaintiff") Motion for Preliminary Approval of Representative
3 Action and Class Action Settlement ("Motion") came on regularly for hearing on February 4,
4 2021. Having reviewed Plaintiff's Motion, the Declaration of Matthew J. Matern and exhibits
5 thereto, including the Stipulation Re: Settlement of Class and Collective Action ("Settlement
6 Agreement"), the supplemental briefings including the Second Amended Stipulation Re.
7 Settlement of Class and Collective Action ("Second Amended Settlement Agreement") and good
8 cause appearing therefore, the Court hereby finds and orders as follows:

9 1. The Court finds on a preliminary basis that the Settlement memorialized in the
10 Second Amended Settlement Agreement appears to be fair, adequate, and reasonable, falls within
11 the range of reasonableness, and therefore meets the requirements for preliminary approval.

12 2. The Court provisionally certifies for settlement purposes the following class
13 ("Class"):

14 All current and former non-exempt employees of Defendant Russ
15 Bassett in the State of California at any time within the period
16 beginning May 26, 2013 through and including the date of the
17 Preliminary Approval Order.

18 3. The Court finds, for Settlement purposes only, that the Class meets the
19 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
20 Class is so numerous that joinder is impractical; (2) there are questions of law and fact that are
21 common to all Class Members which predominate over individualized issues; (3) Plaintiff's
22 claims are typical of the claims of the Class; (4) Plaintiff and Plaintiff's counsel will fairly and
23 adequately protect the interests of the Class; and (5) a class action is superior to other available
24 methods for the fair and efficient adjudication of the controversy.

25 4. The Court appoints, for Settlement purposes only, Plaintiff Everett King as class
26 representative.

27 5. The Court appoints, for Settlement purposes only, Matthew J. Matern, Tagore
28 Subramaniam and Sydney Adams of Matern Law Group, PC as Class Counsel.

- 1 6. The Court appoints CPT Group, Inc. as the Settlement Administrator.
- 2 7. The Parties are ordered to carry out the Settlement according to the terms of the
- 3 Second Amended Settlement Agreement.
- 4 8. The Court approves, as to form and content: (1) the Notice of Class Action
- 5 Settlement (“Class Notice”), attached as Exhibit 1 to the Second Amended Settlement
- 6 Agreement; and (2) the Information Sheet, attached as Exhibit 3 to the Second Amended
- 7 Settlement Agreement. The Court finds that the notice plan is the best means practicable under
- 8 the circumstances for providing notice to the Class Members, and when contemplated, shall
- 9 constitute due and sufficient notice of the class action, proposed settlement, and the final approval
- 10 hearing to all persons entitled to such notice, in full compliance with due process and the notice
- 11 requirements of Code of Civil Procedure § 877.6.
- 12 9. The Court orders the following implementation schedule:

Last day for Defendant to provide the Class Information to the Settlement Administrator	<u>3/17</u> , 2021 (15 business days after entry of the Preliminary Approval Order)
Last day for Settlement Administration to mail Notice Packets to Class Plaintiffs	<u>4/12</u> , 2021 (40 days after entry of the Preliminary Approval Order)
Response Deadline	<u>5/27</u> , 2021 (45 days after the Notice Packets are mailed)
Response Deadline for Class Plaintiffs who received a second mailing of the Notice because the first mailing was returned as undeliverable	<u>5/27</u> , 2021 (45 days after original Notice Packets are mailed)
Last day to file and serve the Motion for Final Approval of Class Action Settlement	_____, 2021 <i>16 court days prior to hearing</i>
Final Approval Hearing	<u>6/28</u> , 2021 at <u>11:00 a</u> m. in Department SSC-7

24 IT IS SO ORDERED.

25
26 DATED: 3/2/2021

27 
28 HON. AMY D. HOGUE
JUDGE OF THE SUPERIOR COURT