

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Civil Minutes

Date: August 26, 2021

Judge: Hon. James Donato

Time: 18 Minutes

Case No. **3:17-cv-01012-JD**

Case Name **Meek v. Skywest, Inc. et al**

Attorney(s) for Plaintiff(s): An V. Trong/Matthew George

Attorney(s) for Defendant(s): Amanda C. Sommerfeld

Deputy Clerk: Lisa R. Clark

Court Reporter: Debra Pas

PROCEEDINGS

Motion Hearing -- Held

NOTES AND ORDERS

As stated on the record, the Court grants from the bench defendants' motion for partial summary judgment, Dkt. No. 144.

Judgment is granted for defendants on plaintiffs' overtime claim, Count 3, because the existence of the collective bargaining agreement, *see* Dkt. No. 90, exempts defendants from the statutory overtime requirements under the relevant California Labor Code sections. *See Ward v. United Airlines, Inc.*, 9 Cal. 5th 732, 746 (2020); *Angeles v. US Airways, Inc.*, 790 F. App'x. 878 (9th Cir. 2020).

Judgment is granted for defendants on plaintiffs' claim under the MCO-QSP, Count 7, because there is no genuine dispute of material fact that SAFA (the Frontline Employees' RLA representative) waived the MCO-QSP between December 2012 and March 1, 2016, and plaintiffs acknowledge no Frontline Employees who were employed at SFO were paid less than the MCO-QSP after March 1, 2016. Dkt. No. 148 at 14.

Plaintiffs' motion for class certification, Dkt. No. 134, is taken under submission and a written order will follow. Defendants' request for a sur-reply is denied.

The pending discovery dispute letters are terminated at the parties' joint request.

The parties are directed to contact Magistrate Judge Hixson for a further settlement conference.