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(prepared by counsel
for plaintiffs)

F I L E D
Superior Court of California
County of San Francisco

AUG 15 2019

CLERK OF THE COURT
BY: *Alan Wong*
Deputy Clerk

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO**

WILLIAM WEST, JR.; CHRISTOPHER
ANDINO; and BRANDY HUFFMAN; as
individuals and on behalf of all others similarly
situated,

Plaintiffs,

vs.

CONTEMPORARY SERVICES
CORPORATION, a California limited liability
company; and DOES 1 through 100, inclusive,

Defendants.

Case No.: CGC-10-502191
[Consolidated for all Purposes with Case No.
CGC-16-552354]

**[REVIS^gED PROPOSED] ORDER
GRANTING UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT AND
CONDITIONAL CERTIFICATION OF
CLASS FOR SETTLEMENT PURPOSES**

Date: August 15, 2019
Time: 9:30 a.m.
Dept. 302

ANGELA JOHNSON, EDWIN MERINO, as
individuals and on behalf of all others similarly
situated,

Plaintiffs,

vs.

CONTEMPORARY SERVICES
CORPORATION and DOES 1-100,

Defendants.

1 The Court, having fully reviewed the Plaintiffs' Unopposed Motion for Preliminary Approval
2 of Class Action Settlement and Conditional Certification of Class for Settlement Purposes, the
3 supporting Points and Authorities, the Declaration of Michael D. Seplow ("Seplow Declaration") in
4 support thereof, the Stipulation for Settlement that was drafted and agreed upon by all parties,
5 attached as Exhibit A to the Seplow Declaration, as well as the proposed Claim Form, Class Notice
6 and Class Notice Postcard, attached as Exhibits 1, 2 and 4 to the Stipulation of Settlement, as well as
7 the Declarations of Anthony Orshansky and Mark Thomas, Plaintiffs' Response to Issues Raised by
8 the Court with Respect to Their Unopposed Motion for Preliminary Approval, the Supplemental
9 Declaration of Michael D. Seplow and the Declaration of Julie Green of CPT Group, and in
10 recognition of the Court's duty to make a preliminary determination as to the reasonableness of any
11 proposed class action settlement, and if preliminarily determined to be reasonable, to ensure proper
12 notice is provided to putative Settlement Class Members in accordance with due process
13 requirements; and to conduct a Final Approval hearing as to the good faith, fairness, adequacy and
14 reasonableness of any proposed settlement, finds that good cause appearing, the unopposed motion
15 for order of preliminary approval of class action settlement is hereby GRANTED.

16 ACCORDINGLY, IT IS HEREBY ORDERED as follows:

17 1. This Order ("Preliminary Approval Order") hereby incorporates by reference the
18 definitions in the Stipulation, and all terms herein shall have the same meaning as set forth in the
19 Stipulation.

20 2. The Court hereby preliminarily finds that the Settlement is the product of informed,
21 non-collusive negotiations conducted at arms' length by the Parties. The Court has considered the
22 alleged merit of Plaintiffs' claims, Defendant's potential liability, the allocation of Settlement
23 proceeds among Class Members and the fact that the Settlement represents a compromise of the
24 Parties' respective positions.

25 3. The Court grants preliminary approval of the Settlement based on the terms set forth in the
26 Stipulation and preliminarily finds that the Settlement is fair, adequate, and reasonable to the Class
27 Members.

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1 4. The Court appoints, for settlement purposes only, Plaintiffs William West, Jr., Brandy
2 Huffman, Angela Johnson, Edwin Merino, and Yaree Collins as Class Representatives.

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4 5. The Court appoints, for settlement purposes only, Michael D. Seplow and Aidan C.
5 McGlaze of Schonbrun Seplow Harries & Hoffman LLP, Vincent James DeSimone of V. James
6 DeSimone Law, Anthony J. Orshansky of CounselOne, PC, Frank Liuzzi of Liuzzi, Murphy,
7 Solomon, Churton & Hale LLP, Anthony C. Meredith of Law Offices of Anthony C. Meredith, and
8 Mark C. Thomas of Law Office of Mark C. Thomas, APC as Class Counsel.

9 6. The Court approves the appointment of CPT Group, Inc. as Settlement Administrator and
10 preliminary approval of the costs of the administration of the Settlement for an amount not to exceed
11 \$122,500.00 to be paid from the Total Maximum Settlement Payment

12 7. The Court approves, on a preliminary basis, the settlement of claims as set forth in the
13 Stipulation for Settlement in which Defendant has agreed to a settlement payment in the amount of
14 \$3,600,000.00 (the "Total Maximum Settlement Payment" or "TMSP") to be paid in three
15 installments.

16 8. The Court approves, on a preliminary basis, the payment of a "service award" in the
17 amount of \$10,000.00 each to Plaintiffs William West, Jr., Brandy Huffman, Angela Johnson and
18 Edwin Marino; and in the amount of \$15,000.00 to Plaintiff Yaree Collins.

19 9. The Court approves, on a preliminary basis, the application for payment to Class
20 Counsel of reasonable attorneys' fees of \$1,200,000.00, which is one third of the Total Maximum
21 Settlement Payment.

22 10. The Court hereby certifies, for purposes of settlement only, the following Class:

23 All non-exempt security guards and event staff employed by Defendant in California
24 from February 18, 2006 through [date of preliminary approval of Settlement].

25 11. The Court finds, for purposes of settlement only, that the Class meets the requirements
26 for certification under California Code of Civil Procedure section 382 in that: (1) the Class is so
27 numerous that joinder of all members is impractical; (2) there are questions of law and fact that are
28 common to the Class which predominate over individual issues; (3) Plaintiffs' claims are typical of

1 the claims of the Class; (4) Plaintiffs and their counsel will fairly and adequately protect the interests
2 of the Class; and (5) a class action is superior to other available methods for the fair and efficient
3 adjudication of the controversy.

4 12. The Court approves as to form and content: (1) the Claim Form attached as Exhibit 1 to
5 the Stipulation of Settlement , (2) the Class Notice attached as Exhibit 2 to the Stipulation of
6 Settlement, and (3) the Notice Postcard attached as Exhibit 4 to the Stipulation of Settlement.

7 13. The Court finds that the notice plan as set forth in the Stipulation is the best means
8 practicable under the circumstances for providing notice to the Class Members, and when
9 completed, shall constitute due and sufficient notice of the class action, the proposed Settlement, and
10 the final approval hearing to all persons entitled to such notice, in full compliance with due process
11 and the notice requirements of California Code of Civil Procedure section 877.6.

12 14. The Parties are ordered to carry out the Settlement according to the terms of the
13 Stipulation.

14 15. The Court issues the following schedule:

16	Deadline for Defendant to provide Class Information to Settlement Administrator	September 4, 2019 (20 days after entry of Preliminary Approval Order)
17	Deadline for Settlement Administrator to mail Notice Postcards to Class Members	September 24, 2019 (20 days after receiving Class Information from Defendant)
18	Deadline for Class Members to opt out of Settlement or submit written objections to Settlement ("Response Deadline")	November 23, 2019 (60 days after Notice Postcards are mailed by the Settlement Administrator to Class Members or 20 days after remailing)
19	Deadline for Class Members to submit Claim Forms ("Claims Submission Period")	November 23, 2019 (60 days after Notice Postcards are mailed by the Settlement Administrator to Class Members or 20 days after remailing)
20	Deadline for Plaintiffs to file Motions for Final Approval of Settlement of Civil Action and for Class Counsel Award	December 13, 2019
21	Final Approval Hearing	January 8, 2020, at 9:30 a.m., Department 302

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1 The Court expressly reserves the right to adjourn or continue the Final Approval Hearing
2 from time-to-time without further notice to the putative Settlement Class Members.

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4 IT IS SO ORDERED.

5
6 DATE: August 15, 2019


7 JUDGE OF THE SUPERIOR COURT OF
8 CALIFORNIA, COUNTY OF SAN FRANCISCO

ETHAN P. SCHULMAN

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