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**United States District Court
Central District of California
Western Division**

JERAME MCDANIEL,

Plaintiff,

v.

THE REINALT-THOMAS
CORPORATION, *et al.*,

Defendants.

CV 12-01466 TJH (PJWx)

**Order
and
Judgment**

The Court has considered Plaintiff’s unopposed motions for Final Approval of Class Action Settlement and for Attorneys’ Fees, Costs, and Enhancement Award, together with the moving papers.

The motions came on for hearing on June 20, 2016, before the Honorable Terry J. Hatter, Jr., United States District Judge for the Central District of California. No class members appeared or opposed these motions.

The Court makes the following findings and orders:

The class was certified as “All current and former employees of Defendants who worked in the position of Tire or Service Technician in a store in California from July

1 2, 2008, through May 31, 2014.”

2 2. The Court has jurisdiction over the class and the parties.

3 3. No class members have objected to the Settlement [Dkt. No. 92-1] and only
4 one class member requested exclusion from the Settlement.

5 4. The Settlement amount is fair and reasonable to the class members when
6 balanced against the probable outcome of further litigation and potential appeals;
7 significant informal discovery, investigation, research, and litigation was conducted
8 such that counsel were able to reasonably evaluate their respective clients’ positions;
9 and the Settlement was reached as the result of intensive, serious, and non-collusive
10 negotiations between the Parties. Accordingly, the Settlement was entered into in good
11 faith.

12 5. Class members were provided notice of the Settlement. Class members were
13 given notice and an opportunity to attend the final approval hearing. Accordingly, all
14 class members, except for the one class member who requested exclusion, are bound
15 by the Settlement and this Order.

16 6. The Settlement is granted Final Approval.

17 7. The appointment of Heffler Claims Group as the Settlement Administrator is
18 confirmed. Administration costs shall not exceed \$56,775.00.

19 8. Carolyn Hunt Cottrell of Schneider Wallace Cottrell Konecky Wotkyns LLP,
20 and John F. Edgar of The Edgar Law Firm are confirmed as Class Counsel.

21 9. Named Plaintiff Jerame McDaniel is confirmed as the Class Representative.

22 10. The Court awards to Class Counsel attorneys’ fees of \$500,000.00, twenty-
23 five percent (25%) of the \$2,000,000.00 Maximum Settlement Amount.

24 11. The Court awards costs of \$20,112.25 to Class Counsel. Those costs shall
25 be allocated as follows, or as otherwise agreed upon by Class Counsel: \$19,266.39 to
26 Schneider Wallace Cottrell Konecky Wotkyns LLP, and \$845.86 to The Edgar Law
27 Firm.

28 12. The Court approves an enhancement award of \$4,000.00 to Class

1 Representative Jerame McDaniel. This award is fair and reasonable for the work he
2 provided to the class members and for the release he personally executed.

3 13. \$20,000.00 of the Maximum Settlement Amount shall be allocated to the
4 Plaintiff's PAGA claim. \$15,000.00 of that allocation shall be paid to the California
5 Labor Workforce and Development Agency ("LWDA"), and the remaining \$5,000.00
6 shall be disbursed to the class as part of the Net Settlement Fund.

7 14. Class Counsel shall provide a report to the Court with a list of any uncashed
8 or undeposited checks that are outstanding 180 days after the checks are mailed to class
9 members, along with suggestions regarding the disposition of those funds.

10 15. The Settlement shall be implemented pursuant to the following schedule:

11 Final Approval Hearing	June 20, 2016
12 Effective Date	The thirty-first (31st) day after the 13 entry of this Order and Judgment.
14 Defendant to deposit \$2,000,000.00 15 with Claims Administrator Heffler 16 Claims Group	Within 5 business days of the Effective Date
17 Payment of Class Counsel's 18 attorneys' fees and costs	Within 5 business days of the Effective Date
19 Claims Administrator shall calculate 20 the amount of distribution from the 21 Net Settlement Fund for each 22 Participating Class Member	Within 10 business days of the Effective Date
23 \$15,000.00 paid to LWDA	Within 5 business days of the Effective Date
24 Payment of \$4,000.00 enhancement 25 award to Named Plaintiff Jerame 26 McDaniel	Within 10 business days of the Effective Date

1 Report to the Court regarding any
2 uncashed or undeposited checks that
3 are outstanding 180 days after the
4 checks are mailed to class members.

200 days after settlement checks are
mailed.

5 16. Pending further order of this Court, all proceedings in this lawsuit, except
6 those contemplated herein and in the Settlement, are stayed.

7 17. All claims that were released by the Settlement are barred.

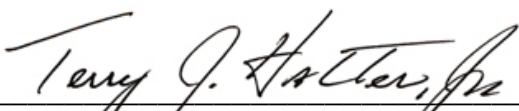
8 18. All of the class members who did not timely exclude themselves, or opt-out,
9 from the Settlement, and the LWDA, are permanently enjoined from pursuing, or
10 seeking to reopen, any "Released Claims" (as defined in the Settlement) against any of
11 the "Released Parties" (as defined in the Settlement).

12 19. This action is dismissed with prejudice.

13 20. The Court shall retain jurisdiction to enforce the terms of the Settlement.

14
15 IT IS SO ORDERED, ADJUDGED AND DECREED.

16
17 Date: June 30, 2016

18 
19 _____
20 Terry J. Hatter, Jr.
21 Senior United States District Judge

22 CC:FISCAL
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