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6 Attorneys for Individual and Representative
 Plaintiff ROXANNE KINNEY

7 UNITED STATES DISTRICT COURT

8 EASTERN DISTRICT OF CALIFORNIA

9
 10 ROXANNE KINNEY, on behalf of herself and
 all others similarly situated,

No. 2:14-cv-01615-TLN-DB

11 Plaintiff,

**ORDER GRANTING PLAINTIFF'S
 MOTION FOR PRELIMINARY
 APPROVAL OF CLASS SETTLEMENT**

12 v.

13 NATIONAL EXPRESS TRANSIT
 14 SERVICES CORPORATION,

15 Defendant.

1 Before this Court is Plaintiff's unopposed Motion for Preliminary Approval of Class
2 Settlement ("Motion"). (ECF No. 22.) Defendant filed a statement of non-opposition. (ECF
3 No. 23.)

4 Having considered the memoranda and declarations, oral arguments of counsel, and
5 the relevant statutory and case law, the Court GRANTS Plaintiff's Motion and orders and
6 finds as follows:

7 1. The Parties' Proposed Joint Stipulation of Settlement and Release and the
8 attachments thereto, including the proposed notice to class members and claim form, filed
9 January 26, 2016 ("Settlement Agreement") (Docket No. 20-1), are preliminarily approved.

10 2. The following Class and Collective Action is certified for settlement purposes only
11 pursuant to Federal Rules of Civil Procedure 23 and 29 U.S.C. § 216(b): All individuals who are
12 or have been employed as non-exempt bus operators on or after May 25, 2013 through the date of
13 preliminary approval ("Class Period") in California, excluding any individual who was not
14 employed on or after July 1, 2013, or was not a member of the Amalgamated Transit Union,
15 Local Division 192. Notwithstanding the above, the Class shall include every individual who has
16 filed a consent to join this action as of November 3, 2015.

17 3. Plaintiffs' attorneys, Steven G. Tidrick, Esq. and Joel Young, Esq. of The Tidrick
18 Law Firm are appointed Class Counsel, and Plaintiff Roxanne Kinney is appointed as the Class
19 Representative.

20 4. Simpluris is appointed as the settlement administrator. The administrator shall
21 distribute to the class the notice and claim form pursuant to the procedures set forth in the
22 Settlement Agreement.

23 5. The Opt-Out deadline as proposed in the Settlement Agreement shall be **sixty (60)**
24 **calendar days** from the date the Settlement Administrator mails the Settlement Documents to
25 Class Members, and that if the 60th day falls on a Sunday or holiday, the Opt-Out Period shall
26 end on the next business day that is not a Sunday or holiday.

27 6. The deadline for objections to final approval of the settlement shall be **fourteen**
28 **(14) calendar days** following the Opt-Out deadline.

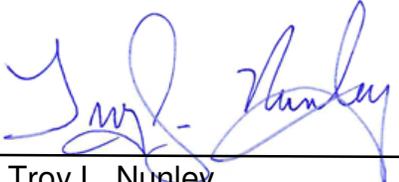
1 7. Class Counsel shall file and serve their motion for attorney's fees, litigation costs,
2 and Service Enhancement Payment, along with all supporting evidence, at **least twenty-eight**
3 **(28) days before** the deadline for objections. Class Counsel shall file and serve the motion for
4 final approval of this Settlement, along with all supporting evidence, no later than **ten (10)**
5 **calendar days** after the deadline for objections.

6 8. The final approval hearing be set for the following date and time: **January 11,**
7 **2018, at 2:00 P.M.**

8 9. The settlement is deemed filed as of the date of preliminary approval for purposes
9 of providing notice to the appropriate officials pursuant to 28 U.S.C. § 1715.

10 IT IS SO ORDERED.

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12 Dated: August 7, 2017

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17 Troy L. Nunley
18 United States District Judge
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