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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES RODRIGUEZ,
individually and on behalf of all
similarly situated current and former
employees,

Plaintiff,

v.

PENSKE LOGISTICS, LLC, a
Delaware Limited Liability Company,
and DOES 1 through 10, inclusive

Defendant.

No. 2:14-CV-02061-KJM-CKD

ORDER

On December 16, 2016, the court held a hearing regarding Rodriguez's unopposed motion for conditional certification of the class, preliminary approval of the settlement, and approval of the proposed notice to the putative class. Mot. Prelim. Approval (Mot.), ECF No. 27; Mins., ECF No. 35. In light of the court's questions raised at hearing, the court instructs plaintiff's counsel to submit a supplemental declaration addressing each of the following issues:

1. Whether AB 1513 / Cal. Labor Code § 226.2 impacts all eight (8) of the claims brought forth in the complaint;
2. Whether AB 1513 / Cal. Labor Code § 226.2 impacts the claims of class members that worked between September 5, 2010 (i.e. the start of the putative

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class period) and July 1, 2012 (i.e. the start of the statutory affirmative defense period);

3. Whether AB 1513 / Cal. Labor Code § 226.2 impacts the claims of class members that worked between January 1, 2016 (i.e. the end of the statutory affirmative defense period) and November 1, 2016 (i.e. the end of the putative class period);
4. Whether the Gross Settlement amount of \$850,000 is fair, reasonable, and adequate in light of the remaining value of all claims as impacted by AB 1513 / Cal. Labor Code § 226.2;
5. Whether putative class members should be compensated differently according to whether any weeks worked were during (a) September 5, 2010, through July 1, 2012; (b) July 1, 2012, through January 1, 2016; or (c) January 1, 2016, through November 1, 2016; and
6. Whether the “carve-out” provisions of AB 1513, Cal. Labor Code § 226.2(g)(1)–(6), impact any of the claims brought forth in the complaint.

The supplemental declaration should be no more than ten (10) pages and should be filed within seven (7) days of this order.

IT IS SO ORDERED.

DATED: December 27, 2016


UNITED STATES DISTRICT JUDGE