

1 Approval of Stipulation of Class Action Settlement and Release filed on April 3, 2020
2 (“Settlement”). Capitalized terms shall have the definitions set forth in the Settlement.

3 2. The Court finds, for purposes of settlement only, that the requirements for
4 provisional certification of the Settlement Class under the Federal Rules of Civil
5 Procedure and all other applicable laws and rules are met by the Settlement Class as
6 follows: (a) joinder of all Settlement Class members in a single proceeding would be
7 impracticable, if not impossible, because of their numbers and dispersion; (b) there are
8 questions of law and fact common to the Settlement Class; (c) Claims asserted by the
9 Class Representative is typical of the claims of the Settlement Class that he seeks to
10 represent for purposes of settlement; (d) Class Representative has fairly and adequately
11 represented the interests of the Settlement Class and will continue to do so; (e) Class
12 Representative and the Settlement Class are represented by qualified, reputable
13 counsel who are experienced in preparing and prosecuting class actions, including those
14 involving the practices alleged in the this Action; and (f) final relief is appropriate to the
15 Settlement Class as a whole.

16 3. The following Settlement Class is conditionally certified for purposes of
17 settlement only: all individuals employed by Dollar Tree Distribution, Inc. in California as
18 non-exempt employees at any time during the period April 1, 2011 through December
19 31, 2019.

20 4. The Settlement appears to be fair, adequate and reasonable to the
21 Settlement Class. The Settlement falls within the range of reasonableness and appears
22 to be presumptively valid, subject only to any objections that may be raised at the final
23 approval hearing and final approval by this Court.

24 5. Plaintiff Terry T. Snipes is conditionally approved as the Class
25 Representative for the Settlement Class.

26 6. The proposed Class Representative Payment of a single payment of
27 Fifteen Thousand Dollars and Zero Cents (\$ 15,000.00), payable to Plaintiff for his
28 service as a Class Representative is conditionally approved.

1 7. S. Brett Sutton and Jared Hague of Sutton Hague Law Corporation P.C.
2 are conditionally approved as Class Counsel for the Settlement Class.

3 8. The proposed Class Counsel Award of up to Seven Hundred Fifty
4 Thousand Dollars and Zero Cents (\$ 750,000.00) in attorneys' fees payable to Class
5 Counsel is conditionally approved.

6 9. The proposed Class Counsel Costs presently estimated to be Fifty Six
7 Thousand Six Hundred Ninety Three Dollars and Thirty Four Cents (\$ 56,693.34) in
8 costs incurred by Class Counsel is conditionally approved.

9 10. A final approval hearing on the question of whether the Settlement, Class
10 Counsel Award, Class Counsel Costs, the Class Representative Payment, and the
11 PAGA Allocation should be finally approved as fair, reasonable and adequate as to
12 Settlement Class Members is scheduled in Department 7 on the date and time set forth
13 in Paragraph 17 below.

14 11. The Court confirms Phoenix Settlement Administrators as the Settlement
15 Administrator.

16 12. The proposed payment of no more than Twenty Five Thousand Dollars and
17 Zero Cents (\$ 25,000.00) in costs to Phoenix Settlement Administrators for its services
18 as the Settlement Administrator is conditionally approved.

19 13. The Court approves, as to form and content, the Notice Packet in
20 substantially the forms attached as Exhibits A through C to the Settlement. The Court
21 approves the procedure for Settlement Class Members to participate in, to opt-out of,
22 and to object to, the Settlement as set forth in the Notice of Settlement.

23 14. The Court directs the mailing of the Notice Packet by first class mail in
24 English to Settlement Class Members in accordance with the implementation schedule
25 set forth in Paragraph 17 below. The Court finds the dates selected for the mailing and
26 distribution of the Notice Packet, as set forth in the Implementation Schedule, meet the
27 requirements of due process and provide the best notice practicable under the
28 circumstances and shall constitute due and sufficient notice to all persons entitled

1 thereto.

2 15. The Court directs the Settlement Administrator to circulate to the Parties
3 any Objections received within two (2) business days of receipt.

4 16. To facilitate administration of the Settlement pending final approval, the
5 Court hereby enjoins Plaintiff and all Settlement Class Members from filing or
6 prosecuting any claims, suits or administrative proceedings regarding claims released by
7 the Settlement unless and until such Settlement Class Members have filed valid
8 Requests for Exclusion with the Settlement Administrator and the time for filing valid
9 Requests for Exclusion with the Settlement Administrator has elapsed. This provision
10 shall not apply to claims not alleged in the Action.

11 17. Based on the Parties' request for a hearing on Plaintiff's anticipated Motion
12 for Final Approval of Joint Stipulation for Class Action Settlement and Release to take
13 place not sooner than 110 days following the Court's issuance of this Order, and to give
14 the Parties sufficient time to execute the notice plan contemplated by the Settlement, the
15 Court orders the following **Implementation Schedule** for further proceedings:


17 a.	Deadline for Defendant to submit 18 Class Information to Settlement 19 Administrator	15 calendar days after entry of this preliminary approval
20 b.	Deadline for Settlement 21 Administrator to Mail the Notice 22 Packet to Covered Class Members	14 calendar days after receipt of Class Information from Defendant
23 c.	Deadline for Settlement Class 24 Members to Submit Request for 25 Exclusion and Covered Class	45 days after mailing of Notice Packets

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	Members to Submit Any Objections to Settlement ¹	
d.	Deadline for Class Counsel to file Motion for Final Approval of Settlement (Including Response by Any Parties to Any Objections)	TBD
e.	Deadline for the Settlement Administrator to File a Report re: Outcome of Notice Process	TBD
e.	Deadline for Class Counsel to file Motion for Class Counsel Award, Class Counsel Costs, and Class Representative Payment	TBD
f.	Final Approval Hearing and Final Approval	TBD

IT IS SO ORDERED.

Dated: June 18, 2020


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE

¹ In the event that the Settlement Administrator remails any notice packets to Covered Class Members within 14 days prior to this deadline, the deadline as to those whose packets were remailed will be extended, but not more than 14 days.