

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEAN ALEXANDER, *et al.*,

No. C-05-0038 EMC

Plaintiffs,

v.

FEDEX GROUND PACKAGE SYSTEM,
INC.,

**ORDER RE FURTHER
SUPPLEMENTAL BRIEFING RE
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL**

Defendant.

(Docket No. 119)

The Court hereby orders further supplemental briefing regarding Plaintiffs' motion for preliminary approval.

1. Lodestar. Under the settlement, a portion of the total settlement award will be used to compensate Plaintiffs' attorneys. To assess the fee request, even for purposes of preliminary approval only, the Court is in need of information as to fees would be under the lodestar method of calculation.

2. Meal and Rest Break Claim. It appears that, under the proposed settlement, the settlement class members will be releasing their meal and rest break claims, *see* Sett. Agreement ¶ I.R (release), but that, unlike the named Plaintiffs, they will not be specially compensated for that release. *See* Sett. Agreement ¶ III.A (providing, *inter alia*, that he named Plaintiffs will be paid \$1 million "in satisfaction of their individual meal and rest break claims"). If the Court's understanding

///


///

1 is correct, then the parties shall address why only the named Plaintiffs are being compensated for the
2 release of the meal and rest break claims.

3 Supplemental briefing shall be filed no later than August 5, 2015, at 12:00 p.m.

4
5 IT IS SO ORDERED.

6
7 Dated: August 3, 2015

8 
9 EDWARD M. CHEN
10 United States District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28