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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHELLE BONNER,
Plaintiff,
v.
SFO SHUTTLE BUS COMPANY,
Defendant.

Case No. 13-cv-01606-TEH

**ORDER GRANTING
PRELIMINARY APPROVAL OF
CLASS SETTLEMENT**

On March 13, 2014, Plaintiff Michelle Bonner, on behalf of herself and others similarly situated, filed a motion for preliminary approval of class settlement. On March 19, 2014, Defendant filed a statement of non-opposition.

Federal Rule of Civil Procedure 23(e)(2) requires that in order to approve class settlement, the court must find the settlement fair, reasonable, and adequate. After reviewing the parties' submission, on April 9, 2014, the Court ordered the parties to submit supplemental briefing regarding certain aspects of their proposed settlement, including the settlement amount, the distribution plan, as well as the waiver of claims provisions. In response, the parties' submitted a joint statement explaining certain provisions and altering others in a revised joint stipulation of settlement. Docket No. 56, Ex. A. Thereafter, the Court raised concerns regarding the settlement's reversion provision, which was addressed by the parties' Second Revised Joint Stipulation of Settlement and Release, Docket No. 59, Ex. 1.

Plaintiff's motion came before the Court for hearing on April 21, 2014. Having considered the parties' arguments and the relevant statutory and case law, the Court GRANTS Plaintiff's motion and orders and finds as follows:

1. The Parties' Second Revised Proposed Settlement Agreement (the "Settlement Agreement") attached to Docket No. 59 as Exhibit 1 is preliminarily approved as fair, adequate, and reasonable, and within the range of possible approval, subject to further

1 consideration at the final approval hearing as set forth below in paragraph 10.

2 2. The following Class and Collective Action is certified for settlement purposes
3 only pursuant to Federal Rules of Civil Procedure 23 and 29 U.S.C. § 216(b):

4 All individuals who worked for SFO Shuttle Bus Company as
5 a bus driver or operator at any time from January 18, 2009,
6 through April 24, 2014.

7 3. Steven G. Tidrick, Esq., and Joel Young, Esq., of The Tidrick Law Firm are
8 appointed as Class Counsel and Plaintiff Michelle Bonner is appointed as the Class
9 Representative.

10 4. Rust Consulting, Inc. is appointed as the settlement administrator. The
11 Administrator shall distribute the notice and claim form to the class pursuant to the terms
12 and procedures set forth in the Settlement Agreement by **May 8, 2014**.

13 5. The Proposed Notice attached to the revised settlement agreement, Docket No.
14 56, Ex. A is approved.

15 6. The Opt-Out Deadline, the Claim Form Deadline, and the deadline for objections
16 as proposed in the Settlement Agreement shall be **June 23, 2014**.

17 7. Plaintiffs shall file a motion for attorneys' fees and costs and payment of
18 incentive awards to the Class Representatives by **June 3, 2014**.

19 8. Plaintiffs shall file a motion for judgment and final approval of Settlement, as
20 well as any supplemental briefing in support of their motion for attorneys' fees and costs
21 and payment of incentive awards, on or before **July 14, 2014**. The motion papers shall
22 include the parties' responses to any objections. Counsel shall also include a declaration
23 setting forth the number of class members who opted out of the class. The declaration
24 should also outline the parties' process for dealing with Class Members who submitted
25 both an exclusion form and a claim form, and set forth the number of Class Members who
26 did so.

27 9. In preparing the motion for final approval, Plaintiffs shall confer with Defendant.
28 The Court does not contemplate the need for a separate submission by Defendant, but if


1 Defendant wishes to submit any additional information, it must do so on or before **July 18,**
2 **2014.**

3 10. The final approval hearing is set for **July 28, 2014, at 10:00 AM**, in Courtroom
4 2, 450 Golden Gate Avenue, San Francisco, CA 94102. At the hearing, the Court will
5 consider whether to grant final approval of the Settlement and will also consider Plaintiffs'
6 request for attorneys' fees and costs and incentive payments to Class Representatives. Any
7 Class Member who submits a timely written objection may appear at the Final Approval
8 Hearing in person or by his or her own attorney.

9 11. The Court may continue the date of the Final Approval Hearing without further
10 notice to Class Members.

11
12 **IT IS SO ORDERED.**

13
14 Dated: 4/24/14



THELTON E. HENDERSON
United States District Judge