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15 *Attorneys for Defendant*  
 LAS VEGAS LIMOUSINES, LLC

16 **UNITED STATES DISTRICT COURT**

17 **DISTRICT OF NEVADA**

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 19 EMIL BOTEZATU, on behalf of himself  
 and all others similarly situated,  
 20  
 Plaintiff,  
 21 vs.  
 22 LAS VEGAS LIMOUSINES, LLC; and  
 DOES 1 through 50, inclusive,  
 23  
 Defendants.

Case No.: 2:16-cv-00397-RFB-PAL

~~[PROPOSED]~~ **ORDER GRANTING  
 PRELIMINARY APPROVAL OF CLASS  
 ACTION SETTLEMENT**

24 TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

25 The Application for Preliminary Approval of a Class Action Settlement came before this  
 26 Court, the Honorable Richard F. Boulware presiding, on June 5, 2017. This Court, having  
 27 considered the papers submitted in support of the application of the parties, HEREBY ORDERS  
 28 THE FOLLOWING:

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1. This Court grants preliminary approval of the settlement based upon the terms set forth in the First Amended Joint Stipulation of Settlement and Release between Plaintiff and Defendant (“Stipulation of Settlement”) filed herewith. The settlement appears to be fair, adequate and reasonable to the Class.
2. The Settlement falls within the range of reasonableness and appears to be presumptively valid, subject only to any objections that may be raised at the final fairness hearing and final approval by this Court.
3. A final fairness hearing on the question of whether the proposed settlement, attorneys’ fees to Class Counsel, and the Class Representative and Class Declarant Enhancement Awards should be finally approved as fair, reasonable and adequate as to the members of the Class is scheduled in accordance with the schedule set forth below.
4. This Court approves, as to form and content: (i) the Notices of Pendency of Class Action, Proposed Class Action Settlement, and Hearing Date for Court Approval for Class Members (“Notices of Pendency of Class Action”), in substantially the form attached to the Stipulation of Settlement as Exhibit C; and (ii) the Exclusion Form, in substantially the form attached thereto as Exhibit D. This Court approves the procedure for Class Members to participate in, to opt out of and to object to, the settlement as set forth in the Notices of Pendency of Class Action.
5. This Court directs the mailing of the Notice of Pendency of Class Action and the Exclusion Form by first class mail to the Class Members in accordance with Stipulation of Settlement and the schedule set forth below. This Court finds the dates selected for the mailing and distribution of the Notices of Pendency of Class Action and the Exclusion Form, as set forth in the schedule, meet the requirements of due process and provide the best notice practicable under the circumstances and shall constitute due and sufficient notice to all persons entitled thereto.
6. It is ordered that the Settlement Class (as defined in the Stipulation of Settlement) is preliminarily certified for settlement purposes only.

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7. This Court confirms Plaintiff Emil Botezatu as Class Representative and Thierman Buck, LLP as Class Counsel.
  8. This Court confirms Class Action Administration, Inc. as Simpluris, Inc.
  9. To facilitate administration of the settlement pending final approval, this Court hereby enjoins Plaintiff and all Class Members from filing or prosecuting any claims, suits or administrative proceedings (including filing claims with the Nevada Office of the Labor Commissioner and the U.S. Department of Labor) regarding claims released by the settlement unless and until such Class Members have filed valid Requests for Exclusion with the Claims Administrator and the time for filing exclusions with the Claims Administrator has elapsed.
  10. This Court orders the following **schedule** for further proceedings:

13 14	a. Deadline for Defendant to Submit Class Member Information to Claims Administrator	<u>June 15</u> , 2017 [10 calendar days after Order granting Preliminary Approval]
15 16 17	b. Deadline for Claims Administrator to Mail the Notice of Pendency of Class Action, Claim and Consent Form, and Exclusion Form to Class Members	<u>June 25</u> , 2017 [20 calendar days after Order granting Preliminary Approval]
18 19	c. Deadline for Class Members to Postmark Exclusion Forms	<u>July 5</u> , 2017 [30 calendar days after mailing of the Notice and Exclusion Form to Class Members]
20 21 22	d. Deadline for Receipt by Court and Counsel of any Objections to Settlement	<u>July 5</u> , 2017 [30 calendar days after mailing of the Notice and Exclusion Form to Class Members]
23 24	e. Deadline for Class Counsel to file Motion for Final Approval of Settlement, Attorneys' Fees, Costs, and Enhancement Award	<u>August 31</u> , 2017 [15 calendar days before Final Approval Hearing]
25 26 27	f. Deadline for Class Counsel to File Declaration from Claims Administrator of Due Diligence and Proof of Mailing	<u>August 31</u> 2017 [15 calendar days before Final Approval Hearing]
28	g. Final Fairness Hearing and Final	<u>September 15</u> , 2017 at 4:00 PM in LV Courtroom 7D.

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	Approval	
h.	Deadline for Defendant to deposit the Net Settlement Amount into an escrow account set up by the Claims Administrator	5 days after the Final Fairness and Final Approval hearing
i.	Deadline for Claims Administrator to mail the Settlement Awards and the Enhancement Awards, and to wire transfer the Attorneys' Fees and Costs (if Settlement is Effective)	<u>September 29</u> , 2017 [14 calendar days after Effective Date]
j.	Claims Administrator to File Proof of Payment of Settlement Awards, Enhancement Awards, Attorneys' Fees and Costs (if Settlement is Effective)	<u>December 14</u> , 2017 [90 calendar days after Effective Date]
k.	Deadline for Claims Administrator to remit monies from uncashed checks to cy pres	<u>December 14</u> , 2017 [90 calendar days after mailing Settlement Awards]

**IT IS SO ORDERED.**

Dated: June 5, 2017



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**RICHARD F. BOULWARE, II**  
**United States District Judge**