

1 WENDY MEDURA KRINCEK, ESQ., Bar # 6417  
 KATHRYN B. BLAKEY, ESQ., Bar # 12701  
 2 LITTLER MENDELSON, P.C.  
 3 3960 Howard Hughes Parkway, Suite 300  
 Las Vegas, NV 89169-5937  
 Telephone: 702.862.8800  
 4 Fax No.: 702.862.8811  
 E-mail: wkrincek@littler.com  
 5 E-mail: kblakey@littler.com

6 Attorneys for Defendants  
 JACKPOT JOANIES T.J., LLC; JACKPOT JOANIES C.R., LLC;  
 7 JACKPOT JOANIES E.H., LLC; JACKPOT JOANIES, FP, LLC;  
 ECLIPSE GAMING SHMP, LLC; AND MAR-LAR-CHAR, INC.  
 8

9 UNITED STATES DISTRICT COURT  
 10 DISTRICT OF NEVADA

12 HEATHER LITTLEFIELD, an individual;  
 NICHOLAS PANARO, an individual, on behalf  
 13 of themselves and all other person similarly  
 situated,

14 Plaintiffs,

15 vs.

16 JACKPOT JOANIES T.J., LLC; JACKPOT  
 17 JOANIES C.R., LLC; JACKPOT JOANIES  
 E.H., LLC; JACKPOT JOANIES, FP, LLC;  
 18 ECLIPSE GAMING SHMP, LLC; AND MAR-  
 LAR-CHAR, INC.,

19 Defendants.  
 20

Case No. 2:16-cv-00471-JAD-CWH

~~PROPOSED~~ ORDER GRANTING  
 JOINT MOTION FOR  
 PRELIMINARY APPROVAL OF  
 CLASS ACTION SETTLEMENT

21 This Court having considered the Joint Motion for Preliminary Approval of  
 22 Class Action Settlement [ECF No. 45] and all supporting legal authorities and  
 23 documents orders as follows:

24 IT IS HEREBY ORDERED THAT:

25 1. The Court hereby preliminarily approves settlement of this action upon  
 26 the terms and conditions set forth in the Agreement. The Court preliminarily finds  
 27 that the gross settlement amount of \$48,000.00 falls within the range of  
 28

1 reasonableness necessary for preliminary approval and that this amount is fair,  
2 adequate, and reasonable as to all potential members of the settlement class when  
3 balanced against the probable outcome of further litigation, and ultimately relating to  
4 liability and damages issues.

5         2. The Court conditionally certifies the following class solely for purposes  
6 of settlement: all current and former hourly paid bartenders employed by Jackpot  
7 Joanies T.J., LLC, et al. at any time from March 3, 2013 through April 5, 2016.

8         3. Named plaintiffs Heather Littlefield and Nicholas Panaro are appointed  
9 as class representatives and the Court preliminarily approves enhancement payments  
10 for the following amounts: \$3,500.00 for Heather Littlefield and \$2,000.00 for  
11 Nicholas Panaro.

12         4. The Court appoints The Bourassa Law Firm as class counsel and  
13 preliminarily approves their attorney's fee request of up to \$8,333.00 and litigation  
14 costs of \$1,000.00.

15         5. The Court confirms CPT Group, Inc. as the settlement administrator and  
16 approves the notice and claim procedures set forth in the Agreement.

17         6. The Court approves, as to form and content, the Notice to the Class of  
18 Proposed Settlement and the Claim Form, attached to the parties' joint motion as  
19 Exhibits to the Declaration of Trent Richards at Exhibits B and C.

20         7. The Court directs defendants to provide to CPT a database report  
21 showing the names, last known addresses, social security numbers, and number of  
22 qualifying shifts of each settlement class member no later than 15 calendar days after  
23 entry of this Order preliminarily approving settlement. CPT will send to each  
24 settlement class member the Notice of the Proposed Settlement and Claim Form by  
25 first class mail, no later than 30 days from the date the Court signs this Order granting  
26 preliminary approval of settlement. Class counsel will receive the aforementioned  
27 database report without the social security numbers of the settlement class members  
28 upon the close of the claims process.

1 8. Class Counsel to file its motion for attorneys' fees and costs, and class  
2 representative enhancement awards at least thirty (30) days prior to the final approval  
3 hearing.

4 9. All papers filed in support of final approval of the settlement, and  
5 response to any objections, will be filed at least fifteen (15) days prior to the final  
6 approval hearing.

7 10. A final approval hearing will be held in Courtroom 3A on May 9, 2017,  
8 at 9:30 a.m. to determine (1) whether the proposed settlement is fair, reasonable,  
9 and adequate and should be finally approved by the Court; (2) the amount of  
10 attorney's fees and litigation costs to award to class counsel; (3) the amount to be paid  
11 to CPT; and (4) the amount of the enhancement payments for the class representatives.

12 **IT IS SO ORDERED.**

13  
14 Dated March 2, 2017

  
\_\_\_\_\_  
15 CARL W. HOFFMAN  
16 United States Magistrate Judge

17  
18 Approved as to form and content:

19  
20 Dated: February 28, 2017

Dated: February 28, 2017

21 Respectfully submitted,

Respectfully submitted,

22  
23 /s/ Kathryn B. Blakey, Esq.  
24 WENDY MEDURA KRINCEK, ESQ.  
KATHRYN B. BLAKEY, ESQ.  
LITTLER MENDELSON, PLC.

/s/ Trent L. Richards, Esq.  
25 MARK J. BOURASSA, ESQ.  
26 TRENT L. RICHARDS, ESQ.  
BOURASSA LAW GROUP

25 Attorneys for Defendants  
26 JACKPOT JOANIES, et al.

Attorneys for Plaintiffs  
HEATHER LITTLEFIELD et al.

27 Firmwide:146079581.1 089765.1001