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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MAYA PITARRO, individually and on behalf of others similarly situated,

Plaintiff,

vs.

DSV AIR & SEA, INC., a Delaware corporation; UTI UNITED STATES, INC., a New York corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. 3:19-cv-00849-SK

CLASS ACTION

ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

Action Filed: November 29, 2018

Trial Date: None Set

The Court, having considered the papers submitted in support of Plaintiff Maya Pitarro’s (“Plaintiff”) Motion for Preliminary Approval of Class Action Settlement, including the Joint Stipulation for Class Action Settlement and Release of Claims (“Stipulation”) and the Exhibits thereto, HEREBY GRANTS Plaintiff’s motion as follows. As discussed at the hearing on this motion, the Court is incorporating the changes proposed by the Court and agreed to by the parties.

1. This Order (“Preliminary Approval Order”) hereby incorporates by reference the definitions in the Stipulation, and all terms herein shall have the same meaning as set forth in the Stipulation.

2. The Court hereby preliminarily finds that the Settlement is the product of formal, non-collusive negotiations conducted at arms’ length. The Court has considered the merit of the

1 alleged claims, Defendant DSV Air & Sea, Inc.’s (“Defendant”) potential liability, the allocation
2 of Settlement proceeds among Class Members and the fact that the Settlement represents a
3 compromise of the Parties’ respective positions.

4 3. The Court grants preliminary approval of the Settlement based on the terms set
5 forth in the Stipulation, as modified by this Order, and preliminarily finds that the Settlement is
6 fair, adequate, and reasonable to the Class Members.

7 4. The Court approves as to form and content the Notice of Class Action Settlement
8 attached as Exhibit A to the Stipulation and the Information Sheet, attached as Exhibit B to the
9 Stipulation (collectively, the “Notice Packet”).

10 5. The Court approves Phoenix Settlement Administrators as the Settlement
11 Administrator. The Court hereby authorizes the Settlement Administrator to mail the Notice
12 Packet to the Class Members, pursuant to the terms of the Stipulation.

13 6. The Court finds that distribution of the Notice Packets as set forth in the
14 Stipulation meets the requirements of due process, provides the best notice practicable to Class
15 Members under the circumstances, and constitutes due and sufficient notice to all Class Members
16 of the Settlement and their rights related thereto.

17 7. A hearing to determine whether the Settlement is fair, reasonable and adequate to
18 the Class Members and whether the Settlement should be finally approved (“Final Approval
19 Hearing”) shall be held on December 7, 2020 at 9:30 a.m. in Courtroom C of the United States
20 District Court for the Northern District of California located at 450 Golden Gate Avenue, 19th
21 Floor, San Francisco, California. The Court reserves the right to adjourn or continue the date of
22 the Final Approval Hearing without further notice to Class Members, and retains jurisdiction to
23 consider all further applications or motions arising out of or connected with the Settlement.

24 8. The Court orders the Parties to carry out the Settlement according to its terms.

25 9. The Court sets the following deadlines:

26 27	Deadline for Defendant to provide Class Information to Settlement Administrator	July 22, 2020 (30 calendar days after entry of Preliminary Approval Order)
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1 2	Deadline for Settlement Administrator to mail Notice Packets to Class Members	August 5, 2020 (10 business days after receiving Class Information from Defendant)
3 4	Deadline for Class Members to opt out of or object to the Settlement (“Response Deadline”)	October 19, 2020 (75 calendar days after Settlement Administrator mails Notice Packets to Class Members as modified by the Court with the parties’ agreement)
5 6	Deadline for Plaintiff to file Motion for Attorneys’ Fees and Costs and for Plaintiff’s Incentive Payment	July 22, 2020
7 8	Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement	November 2, 2020

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10 The other changes discussed at the hearing and agreed to by the parties include:

11 (1) An objector is not required to find an attorney by the objection deadline.

12 Therefore, so long as the objector timely objects, the objector may have an
13 attorney represent him or her at the hearing on the final approval. The parties shall
14 make that change clear in the notice.

15 (2) The parties shall include the Complaint on the Settlement Administrator’s website.

16 (3) The Settlement Administrator’s website will be updated to include Plaintiff’s
17 motion for attorneys fees, costs and incentive payment before sending out notice.

18 **IT IS SO ORDERED.**

19
20 DATED: June 22, 2020

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23 HON. SALLIE KIM
24 UNITED STATES DISTRICT COURT
25 MAGISTRATE JUDGE