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2 David Garrett (SBN 160274)  
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12 *Attorneys for Plaintiff*  
13 Rosemary Phillips

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
15 **COUNTY OF LOS ANGELES**

16 ROSEMARY PHILLIPS, individually and on  
17 behalf of all others similarly situated,

18 Plaintiff,

19 v.

20 CBS BROADCASTING, INC., a New York  
21 Corporation and Does 1 to 100, inclusive,

22 Defendants.

Case No. 19STCV35964

*Assigned to the Hon. William F. Highberger,  
Dept: 10*

**NOTICE OF ENTRY OF ORDER  
GRANTING MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT AND FINAL JUDGMENT**

Date: September 8, 2021  
Time: 11 a.m.  
Place: Dept. 10  
Spring Street Courthouse  
312 N. Spring Street  
Los Angeles, CA 90012

*Complaint Filed: Oct. 9, 2019*

1 **TO EACH PARTY AND THEIR ATTORNEY(S) OF RECORD:**

2 **PLEASE TAKE NOTICE THAT** on September 8, 2021, the Court entered an Order Granting  
3 Final Approval and Final Judgment in this Class Action Settlement. The Court's Minute Order Re Final  
4 Approval of Class Action Settlement and Judgment is attached.

5 DATED: September 8, 2021

HARRIS & RUBLE

6  
7 /s/ Alan Harris  
8 Alan Harris  
9 David Garrett  
10 *Attorneys for Plaintiff*  
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1 **PROOF OF SERVICE**

2 I am attorney for the plaintiff herein, over the age of eighteen years, and not a party to the within action.  
3 My business address is Harris & Ruble, 655 North Central Avenue, 17<sup>th</sup> Floor, Glendale, CA 91203. On  
4 September 8, 2021, I served the within document(s):

5 **NOTICE OF ENTRY OF ORDER GRANTING MOTION FOR FINAL APPROVAL OF CLASS  
6 ACTION SETTLEMENT AND FINAL JUDGMENT**

7 Electronic Service: Based on a court order, I cause the above-entitled document(s) to be served  
8 through Case Anywhere addressed to all parties appearing on the electronic service list for the above-  
9 entitled case and on the interested parties in this case:

10 Emma Luevano (eyl@msk.com)  
11 Mitchell, Silberberg & Knupp LLP  
12 11377 W. Olympic Blvd.  
13 Los Angeles, CA 90064

14 I declare under penalty of perjury that the above is true and correct. Executed on September 8, 2021, at  
15 Los Angeles, California.

16 */s/ David Garrett*  
17 \_\_\_\_\_  
18 David Garrett

**ORIGINAL**

**BY FAX**

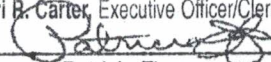
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*Attorneys for Plaintiff*  
Rosemary Phillips

**FILED**  
Superior Court of California  
County of Los Angeles

SEP 08 2021

Sherri B. Carter, Executive Officer/Clerk of Court  
By  Deputy  
Patricia Flores

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES**

**RECEIVED  
AUG 16 2021  
FILING WINDOW**

ROSEMARY PHILLIPS, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

CBS BROADCASTING, INC., a New York  
Corporation; JACK HOOVEN, an individual,  
and DOE 1 through and including DOE 10,

Defendants.

Case No. 19STCV35964

*Assigned to the Hon. William F. Highberger,  
Dept: 10*

**[PROPOSED] ORDER GRANTING  
MOTION FOR FINAL APPROVAL OF  
CLASS ACTION SETTLEMENT AND  
FINAL JUDGMENT**

Date: September 8, 2021  
Time: 11 a.m.  
Place: Dept. 10  
Spring Street Courthouse  
312 N. Spring Street  
Los Angeles, CA 90012

*Complaint Filed: Oct. 8, 2019*

1  
2 **ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND**  
3 **FINAL JUDGMENT**

4 **IT IS HEREBY ORDERED:**

5 The Unopposed Motion for Final Approval of Class Action Settlement came on for hearing  
6 before this Court, the Honorable William F. Highberger presiding, on September 8, 2021. The Court,  
7 having considered the papers submitted in support of the motion and having heard oral argument of the  
8 parties, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

9 1. This Court has jurisdiction over the subject matter of this Action and over all parties to  
10 this Action, including all members of the Settlement Class. The Court grants final approval of the  
11 settlement based upon the terms set forth in the Class Settlement Agreement (the "Settlement").  
12 Capitalized terms in this Order shall have the definitions set forth in the Settlement.

13 2. The Court hereby certifies a Settlement Class as defined in the Settlement pursuant to the  
14 terms and conditions of the Settlement and solely for the purposes set forth therein. The Settlement  
15 Class is defined as:

16 All persons who were non-staff, part-time, or per diem employees and received a  
17 non-direct deposit payment directly from Defendant CBS Broadcasting Inc. for  
18 work performed at Defendant's former Television City location (7800 Beverly  
Boulevard, Los Angeles) during the Release Period (July 16, 2018 through May  
7, 2021).

19 Excluded from the Settlement Class are all Persons who properly and timely elect to opt out.

20 3. The Court hereby determines that the settlement set forth in the Settlement falls within  
21 the range of reasonableness and appears to be valid. There were 200 objections raised at the final  
22 settlement hearing. It appears to the Court that substantial investigation and research have been  
23 conducted such that counsel for the Parties are reasonably able to evaluate their respective positions. It  
24 further appears to the Court that settlement will avoid substantial additional costs by all parties, as well  
25 as the delay and risk that would be presented by further prosecution of the Action. It further appears to  
26 the Court that the proposed settlement that has been reached is the result of intensive, serious, non-  
27 collusive, arm's-length negotiations.  
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1           4.       The Court approves, as to form and content, the form of Class Notice. The Court finds  
2 that these documents fairly and adequately apprise Settlement Class Members of their rights under the  
3 Settlement. The Court determines that the Parties complied with the distribution of the Class Notice to  
4 the Settlement Class in the manner and form set forth in the Preliminary Approval Order, and that the  
5 Class Notice provided to the Settlement Class was the best notice practicable under the circumstances  
6 and constituted due and sufficient notice to all persons entitled to such notice. The procedures required  
7 by the Preliminary Approval Order have been carried out and satisfy due process requirements such that  
8 all absent Settlement Class Members have been given the opportunity to participate fully in the claims  
9 exclusion and the approval process.

10           5.       The Court finds that the Claims Administrator (Phoenix Class Action Administration  
11 Solutions) mailed the Class Notice, in English, to all Settlement Class Members via First Class U.S. mail  
12 in accordance with the Order Granting Preliminary Approval. The Settlement Class Members had sixty  
13 (60) days to request exclusion or object to the Class Settlement by the method set forth in the  
14 Settlement. The Court finds that this procedure meets the requirements of due process and provided the  
15 best notice practicable under the circumstances, and constituted due and sufficient notice to all persons  
16 entitled thereto.

17           6.       Pursuant to Code of Civil Procedure section 382 and Rule 3.769 of the California Rules  
18 of Court, the Court grants final approval of the Settlement as set forth in the Class Settlement  
19 Agreement. For settlement purposes only, the Court finds that Alan Harris and David Garrett of Harris  
20 & Ruble have adequately represented the Class and are appointed as Class Counsel solely for the  
21 purposes set forth in the Settlement.

22           7.       For settlement purposes only, the Court finds that Plaintiff Rosemary Phillips  
23 (“Plaintiff”) is an adequate representative of the Settlement Class and appoints her as such.

24           8.       The Court has reviewed all documentation submitted in conjunction with the request for  
25 Enhancement Awards for Plaintiff for her efforts in bringing and prosecuting this case, the financial risk  
26 undertaken in bringing the action, recognizing the scope of the release, and to acknowledge Plaintiff’s  
27 willingness to act as a private attorney general. Applying these standards to the instant motion, the  
28

1 Court approves a class representative enhancement award in the amount of \$ 5,000.00 to Plaintiff  
2 Rosemary Phillips, which the Court determines to be fair and reasonable.

3 9. Counsel for Plaintiff seeks an award of \$86,667 in attorneys' fees and reimbursement of  
4 costs not to exceed \$10,000. The Court awards \$ 86,667.00 in attorneys' fees and  
5 \$ 5,060.25 in actual costs to Class Counsel, which the Court determines to be fair and  
6 reasonable. The Court finds that the forgoing award reflects reasonable payment for the efforts of  
7 counsel in prosecuting this Action, and that the costs and expenses reimbursed represent those costs and  
8 expenses actually and reasonably incurred in prosecuting the case. Upon entry of this Order, the Court  
9 hereby authorizes the Claims Administrator to make payment to Harris & Ruble as set forth in the Class  
10 Settlement Agreement.

11 10. The Court hereby approves a net payment of \$7,500 to California's Labor and Workforce  
12 Development Agency ("LWDA") to pay all applicable penalties under the Labor Code's Private  
13 Attorneys General Act of 2004 ("PAGA"), Labor Code sections 2699, 2699.3, and 2699.5.

14 11. The Court hereby approves a payment of \$15,000 to Phoenix Class Action  
15 Administration Solutions for services as Claims Administrator.

16 12. The Court directs the Parties to effectuate the Settlement according to the terms of the  
17 Settlement, including payment to Participating Class Members in accordance with the terms of the  
18 Settlement. All settlement checks sent to Participating Class Members and not cashed within one  
19 hundred eighty (180) calendar days of issuance shall be sent to the State Controller's Office: Unclaimed  
20 Property Fund. Any cash benefit owed to any Participating Class Member whose address cannot be  
21 located (after use of the search processes described in Section 6.1 of the Settlement) shall also be sent to  
22 the California State Controller's Office: Unclaimed Property Fund.

23 13. Pursuant to California Rule of Court 3.769(h), and without affecting the finality of this  
24 Judgment, the Court shall retain jurisdiction over the Parties to enforce the terms of the Judgment.  
25 Pursuant to Code of Civil Procedure section 664.6 and Rule 3.769(h) of the California Rules of Court  
26 and without affecting the finality of this Judgment, the Court reserves exclusive and continuing  
27 jurisdiction over this Action, Plaintiff, the Settlement Class Members, and Defendant for the purposes of  
28 supervising:



- 1 (a) the implementation, enforcement, construction, and interpretation of the Class Settlement  
2 Agreement, the Order Granting Preliminary Approval of Class Action Settlement, the plan of  
3 allocation, the Order Granting Final Approval of Class Action Settlement, and the Judgment;  
4 (b) distribution of amounts paid under the Settlement; and  
5 (c) final declaration regarding total amount actually paid to the Participating Class Members.

6 14. The Court orders Class Counsel to file a final report by February 15, 2022, summarizing  
7 all distributions made to the Participating Class Members, supported by a declaration. Code Civ. Proc.,  
8 § 384, subd. (b). <sup>Not Appearance Case Review</sup> The ~~status conference~~ concerning the final report shall be set for  
9 Feb. 22, 2022, <sup>@ 9am</sup> or another date that the Court deems proper. The final report shall be in  
10 the form of a declaration from the Claims Administrator or other declarant with personal knowledge of  
11 the facts, and shall describe (i) the date the checks were mailed, (ii) the total number of checks mailed to  
12 Participating Class Members, (iii) the average amount of those checks, (iv) the number of checks that  
13 remain uncashed, (v) the total value of those uncashed checks, (vi) the average amount of the uncashed  
14 checks, and (vii) the nature and date of the disposition of those unclaimed funds.

15 15. The Parties shall bear all their own costs and attorneys' fees, except as otherwise set forth  
16 in the Class Settlement Agreement or this Judgment.

17 16. Notice of this Judgment and of Entry of this Judgment which states that "[o]n [date of  
18 entry of Judgment], 2021, the Court entered Judgment in this Class Action Settlement. The Court's  
19 Judgment Re Class Action Settlement is attached." shall be effectuated by: (a) serving it on the  
20 Settlement Class through service upon Defendant's counsel by Class Counsel, and (b) posting it on the  
21 Claims Administrator's website. Cal. Rules of Court, rule 3.771(b)).

22 17. The following people opted out of the settlement:

23 John Michael Laubender  
24 ~~John~~ LeRoy Wellington

25 **IT IS SO ORDERED.**

26  
27 DATED: 9/8/2021

28 W. H. Hightberg  
JUDGE, CALIFORNIA SUPERIOR COURT