

Electronically Received 07/08/2022 09:19 AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED
Superior Court of California
County of Los Angeles

07/25/2022

Sherri R. Carter, Executive Officer / Clerk of Court

By: L. MGreené Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

DANIEL TORRES, on behalf of himself and
all others similarly situated;

Plaintiff,

v.

BALFOUR BEATTY CONSTRUCTION,
LLC a Delaware Limited Liability Company,
BALFOUR BEATTY CONSTRUCTION
COMPANY, INC., a Nevada Corporation,
and DOES 1 through 50 inclusive,

Defendants.

Case No. 20STCV46969

CLASS ACTION

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

Assigned for all purposes to:
Hon. Carolyn B. Kuhl, Dept.: 12

Date: July 15, 2022
Time: 4:30 p.m.
Dept: 12

Brown, Benchris Mucha and the Pltiff Class

1 **[PROPOSED] ORDER**

2 Plaintiff’s Motion for Preliminary Approval of a Class Action Settlement (“Motion”) came
3 on for hearing before this Court on July 15, 2022 at 4:30 p.m. in Department 12, located at Spring
4 Street Courthouse, 312 N. Spring St. Los Angeles, California 90012.

5 This Court, having considered the papers submitted in support of the Motion, HEREBY
6 ORDERS THE FOLLOWING:

- 7
- 8 1. This Court grants preliminary approval of the Joint Stipulation of Class Action
9 Settlement (the “Settlement”) filed herewith. The Settlement appears to be fair,
10 adequate and reasonable to the Class.
 - 11 2. ~~The Settlement falls within the range of reasonableness and appears to be~~
12 ~~presumptively valid, subject only to any objections that may be raised at the final~~
13 ~~fairness hearing and final approval by this Court.~~
 - 14 3. A final fairness hearing on the question of whether the proposed Settlement,
15 attorneys’ fees and costs to Class Counsel, and the Class Representative Incentive
16 Award should be finally approved as fair, reasonable and adequate as to the
17 members of the Class is scheduled in accordance with the Implementation Schedule
18 set forth below.
 - 19 4. This Court approves, as to form and content, the Notice of the Class Action
20 Settlement (“Notice of Class Action Settlement”), in substantially the form attached
21 to the Settlement as Exhibit A. This Court approves the procedure for Class
22 Members to opt out of, and to object to, the Settlement as set forth in the Notice of
23 Class Action Settlement. This Court also approves the procedure for Class
24 Members to dispute the accuracy of the Workweeks credited to them.
 - 25 5. This Court directs the mailing of the Notice of Class Action Settlement by first class
26 mail to the Class Members in accordance with the Implementation Schedule set
27 forth below. This Court finds the dates selected for the mailing and distribution of
28 the Notice, as set forth in the Implementation Schedule, meet the requirements of
due process and provide the best notice practicable under the circumstances and

1 shall constitute due and sufficient notice to all persons entitled thereto.

2 6. It is ordered that the Settlement Class is preliminarily certified for settlement
3 purposes only.

4 7. This Court confirms Plaintiff Daniel Torres as Class Representative and Law
5 Offices of Jake D. Finkel, APC as Class Counsel.

6 8. This Court confirms Phoenix Settlement Administrators as the Claims
7 Administrator.

8 9. This Court orders the following **Implementation Schedule** for further proceedings:
9

10 a.	Deadline for Defendant to Submit Class List to Claims Administrator	_____ [21 calendar days after Order granting Preliminary Approval]
11		
12		
13 b.	Deadline for Claims Administrator to Mail the Notice to Class Members	_____ [21 calendar days after receipt of Class List]
14		
15		
16		
17		
18 c.	Deadline for Class Members to Postmark Requests for Exclusions	Deadline is 45 calendar days after mailing of the Notice to Class Members
19		
20		
21 d.	Deadline for Class Members to Postmark Objections	Deadline is 45 calendar days after mailing of the Notice to Class Members
22		
23		
24 e.	Deadline for Class Members to Postmark Workweek Disputes	Deadline is 45 calendar days after mailing of the Notice to Class Members
25		
26		
27		
28		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

f.	Deadline for Class Counsel to file Motion for Final Approval of Settlement	_____ [16 court days before Final Approval Hearing]
g.	Deadline for Class Counsel to file Motion for Attorneys' Fees, Costs and Enhancement Award	_____ [16 court days before Final Approval Hearing]
h.	Deadline for Class Counsel to File Declaration from Claims Administrator of Due Diligence and Proof of Mailing	_____ [16 court days before Final Approval Hearing]
i.	Final Fairness Hearing and Final Approval	January 16, 2023 at ____ a.m./p.m. FBI DECC/AF/KE/CE

IT IS SO ORDERED

Dated: 07/25/2022



Carolyn B. Kuhl

Carolyn B. Kuhl / Judge

Judge of the Superior Court