

SUPERIOR COURT OF CALIFORNIA,

COUNTY OF SAN DIEGO

SOUTH BUILDING

TENTATIVE RULINGS - December 01, 2022

EVENT DATE: 12/02/2022

EVENT TIME: 10:00:00 AM

DEPT.: N-31

JUDICIAL OFFICER: Blaine K. Bowman

CASE NO.: 37-2021-00008727-CU-OE-NC

CASE TITLE: GONZALEZ VS SPEEDY WEEDY [IMAGED]

CASE CATEGORY: Civil - Unlimited

CASE TYPE: Other employment

EVENT TYPE: Motion Hearing (Civil)

CAUSAL DOCUMENT/DATE FILED: Motion for Approval of Class Settlement, 11/03/2022

The *Motion for Preliminary Approval of Class Action Settlement* brought by plaintiffs Robert Gonzalez, Victor Penate, Blake Bixel, and Mikail Odubona, on behalf of themselves, others similarly situated, and other aggrieved workers (collectively, **Plaintiffs**) is **GRANTED**.

The class consists of roughly 500 members and is defined as follows:

'Class' means all current and former independent contractors and hourly non-exempt employees who performed work for Defendants in California at any time during the Class Period, including: (1) all members of the Class who performed work for Speedy Weedy La Mesa LLC, Speedy Weedy Santa Ana, LLC, Speedy Weedy Vista, LLC, and Welcome The Healing Touch, Inc. as independent contractors at any time from September 4, 2016 through June 1, 2022; (2) all members of the Class who performed work for Speedy Weedy La Mesa LLC, Speedy Weedy Santa Ana, LLC, Speedy Weedy Vista, LLC, and Welcome The Healing Touch, Inc. as non-exempt employees at any time from September 4, 2016 through June 1, 2022. (ROA 43, p. 2:16-23.)

The Court preliminarily approves the following distribution:

--\$ 464,455.00 – amount to be distributed to Class Member (estimated)
--\$ 259,215.00 – attorney fees (estimated) (upper limit is 33.33% of total award)
--\$ 35,000.00 – enhancement award to lead plaintiffs, broken down as follows:
 \$15,000.00 – to plaintiff Robert Gonzalez
 \$10,000.00 – to plaintiff Victor Penate
 \$5,000.00 – to plaintiff Blake Bixel
 \$5,000.00 – to plaintiff Mikail Odubona
--\$ 30,000.00 – costs of litigation (estimated) (upper limit)
--\$ 15,000.00 – PAGA payment to LWDA
--\$ 9,750.00 – cost of settlement administration (estimated) (upper limit)
--\$ 777,645.00 – total payment by Defendants

This matter is set for hearing on a *Motion for Final Approval of Class Action and PAGA Representative Action Settlement* on **Friday, April 21, 2022 at 1:30 p.m. in Department N-31**.

Unless the ruling(s) above indicate that an appearance is necessary, parties who wish to submit, who are satisfied with the above tentative ruling(s), and/or who do not otherwise wish to argue the motion(s) are encouraged to give notice to the Court and each other of their intention not to

appear.