

SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER

Date: February 2, 2023
Judge: Michael W. Jones
Reporter:

Time: 8:25 AM
Dept.: Department 3
Clerk:

Sweat, Glenn vs. JKS Ventures, Inc. DBA Incredible Pets _____ ☐ Present

_____ ☐ Present

☐ And related Cross Action(s)

Case # S-CV-0047106

Law and Motion Minutes

Proceedings RE: Motion Hearing - _____

☐ Dropped. ☐ Continued to _____ ☐ by Plaintiff ☐ by Defendant
☐ by Stipulation ☐ by Court

☐ Matter argued and submitted.

☐ Submitted on points and authorities without ☐ argument ☐ appearance.

☐ Motion/Petition granted. ☐ Motion/Petition denied.

☐ Demurrer ☐ sustained ☐ overruled ☐ without ☐ with leave to ☐ amend ☐ answer.

☐ Counsel appointed for:

☐ Taken under submission.

☐ Debtor is sworn and retired with counsel for examination.

☐ Stipulation to ☐ Judge Pro Tem ☐ Commissioner executed in open court.

☐ Counsel for _____ to prepare the written order and submit it to opposing counsel for approval as to content and form.

☐ Other _____.

☒ The tentative ruling is adopted as the ruling of the court, to wit:

Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement

The unopposed motion is granted. The court has broad discretion in determining whether a class action settlement is (1) fair and reasonable, (2) the class notice is adequate, and (3) certification of the class is proper. (*In re Cellphone Fee Termination Cases* (2010) 186 Cal.App.4th 1380, 1389.) Further, the court reviews the moving papers along with the entirety of the court file to



determine that the settlement is genuine, meaningful, and consistent with the underlying purposes of the PAGA-related statute. (Labor Code section 2699(1); *O'Connor v. Uber Technologies, Inc.* (N.D. Cal. 2016) 201 F.Supp.3d 1110.) The court must also determine whether the PAGA settlement appears fundamentally fair, reasonable, and adequate. (Ibid.) The court has carefully reviewed and considered the joint stipulation regarding class action and PAGA settlement and plaintiffs' moving papers filed in connection with the motion. The court determines a sufficient showing has been made that the settlement is fair, reasonable, genuine, meaningful, and consistent with the purpose of PAGA.

For the purposes of the settlement, the court hereby certifies the class as defined in paragraphs 6 and 7 of the Joint Stipulation of Class Action and PAGA Settlement. The court preliminarily approves the Joint Stipulation of Class Action and PAGA settlement. The court approves the proposed form of the notice, and incorporates by reference the findings and orders outlined in the proposed order lodged on January 11, 2023.

The final approval hearing is set for Thursday, June 15, 2023 at 8:30 a.m. in Department 3.

///