

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

05/03/2023

David W. Slayton, Executive Officer / Clerk of Court

By: I. Arellanes Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

SHANNON WILLIAMS and JONATHAN  
TUMBLIN, as individuals and on behalf of all  
others similarly situated,

Plaintiffs,

v.

LABCORP EMPLOYER SERVICES, INC., a  
Delaware corporation; LABCORP STAFFING  
SOLUTIONS, INC., a Delaware corporation;  
WELLNESS CORPORATE SOLUTIONS, LLC,  
a Maryland corporation; and DOES 4-10,

Defendants.

CASE NO. 20STCV33583

CLASS ACTION CASE

[Assigned to Hon. Kenneth R. Freeman, Dept.  
SSC-14]

~~PROPOSED~~ ORDER GRANTING  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT

Action Filed: 9/2/20  
Trial Date: None set

1           **ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

2           Plaintiffs' Motion for Preliminary Approval of Class Action Settlement came before this Court  
3 on April 18, 2023. The Court, having considered the proposed Amended Joint Stipulation and  
4 Settlement Agreement ("Settlement"), attached as Exhibit A to the Supplemental Declaration of  
5 Lauren Teukolsky filed on March 17, 2023; having considered the Memorandum of Points and  
6 Authorities in support of the Motion, and supporting declarations; having considered any arguments  
7 presented at the hearing on the Motion; and good cause appearing, HEREBY ORDERS THE  
8 FOLLOWING:

9           1.       The Court GRANTS preliminary approval of the Settlement and finds its terms to be  
10 within the range of reasonableness of a settlement that ultimately could be granted final approval by  
11 the Court. For purposes of the Settlement only, the Court finds that the proposed Settlement Class<sup>1</sup> is  
12 ascertainable and that there is a sufficiently well-defined community of interest among the members of  
13 the Settlement Class in questions of law and fact. Therefore, for settlement purposes only, the Court  
14 grants conditional certification to the following Settlement Class:

15                   All non-exempt individuals who worked for any of Defendants LabCorp  
16 Employer Services, Inc., LabCorp Staffing Solutions, Inc., and Wellness  
17 Corporate Solutions, LLC providing mobile health services in the State of  
18 California at any time from February 5, 2019 through the date of  
preliminary approval of the Settlement, which is April 18, 2023.

19           2.       The Gross Settlement Fund amount of \$2.7 million (\$2,700,000) falls within the range  
20 of reasonableness and appears to be presumptively valid, subject to any objections that may be raised  
21 at the Final Approval Hearing and final approval by this Court.

22           3.       The Court finds that Plaintiffs Shannon Williams and Jonathan Tumblin are adequate  
23 Class and PAGA Representatives for purposes of settlement, and they are conditionally approved as  
24 the Class and PAGA Representatives for the Settlement Class.

25           4.       The proposed Incentive Awards of Ten Thousand Dollars (\$10,000) each to Ms.  
26  
27

28           <sup>1</sup> Capitalized terms in this Order shall have the definitions set forth in the Settlement.

1 Williams and Mr. Tumblin (totaling \$20,000) for their service as the Class and PAGA Representatives  
2 are conditionally approved.

3 5. Lauren Teukolsky of Teukolsky Law, APC and Ramit Mizrahi of Mizrahi Law, APC  
4 are conditionally approved as Class Counsel for the Settlement Class.

5 6. The proposed awards of up to Nine Hundred Thousand Dollars (\$900,000) in attorneys'  
6 fees and up to Thirty Thousand Dollars (\$30,000) in actual costs payable to Class Counsel are  
7 conditionally approved, subject to the filing of a motion for attorneys' fees and costs and the Court's  
8 review of Class Counsel's billing records and other supporting documentation.

9 7. The Court confirms Phoenix Settlement Administrators ("Phoenix") as the Settlement  
10 Administrator.

11 8. The proposed payment of no more than Fifteen Thousand Dollars (\$15,000) in costs to  
12 Phoenix for its services as the Settlement Administrator is conditionally approved.

13 9. The Court conditionally approves the Fifty Thousand Dollar (\$50,000) allocation to  
14 penalties under the Private Attorneys General Act ("PAGA"), of which 75%, or Thirty-Seven  
15 Thousand Five Hundred Dollars (\$37,500), will be paid to the California Labor Workforce and  
16 Development Agency ("LWDA"), and 25%, or Twelve Thousand Five Hundred Dollars (\$12,500) will  
17 be paid to the PAGA Employees (defined as those Settlement Class Members who worked for  
18 Defendants during the PAGA Period).

19 10. The Court approves, as to form and content, the revised Class Notice ("Notice") in  
20 substantially the form attached as Exhibit A to the Settlement. The Court approves the procedure for  
21 Class Members to participate in, opt out of, and object to, the Settlement as set forth in the Notice.  
22 Class Members shall have no fewer than 45 days to object or opt out of the Settlement.

23 11. The procedures and requirements for filing objections in connection with the Final  
24 Approval Hearing are intended to ensure the efficient administration of justice and the orderly  
25 presentation of any Class Member's objection to the Settlement, in accordance with the due process  
26 rights of all Class Members.

27 12. The Court directs the mailing of the Notice by first-class mail to Settlement Class  
28 Members in accordance with the terms of the Settlement and the implementation schedule set forth in

Paragraph 17 below. The Court finds the dates selected for the mailing and distribution of the Notice, as set forth in Paragraph 17, meet the requirements of due process and provide the best notice practicable under the circumstances and shall constitute due and sufficient notice to all persons entitled thereto.

13. Per the Settlement, checks sent to Settlement Class Members will remain negotiable for 180 days. The Court conditionally approves the Parties' agreement that funds represented by settlement checks returned as undeliverable and those settlement checks remaining uncashed for more than 180 days after issuance shall be paid to the State Controller's Unclaimed Property Fund under the escheatment process described at California Code of Civil Procedure §§ 1500, *et seq.* such that the amounts will be retained as unclaimed funds in the name of the Settlement Class Members.

14. The Final Approval Hearing on the question of whether the Settlement should be finally approved as fair, reasonable, and adequate is scheduled in Department SSC-14 of this Court, located at 312 N. Spring Street, Los Angeles, CA 90012 on November 16, 2023 at 10:00 a.m.

15. At the Final Approval Hearing, the Court will consider: (a) whether the Settlement should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment granting final approval of the Settlement should be entered; and (c) whether Plaintiffs' application for reasonable attorneys' fees, reimbursement of litigation expenses, Incentive Awards to Plaintiffs, settlement administration costs, and payment to the LWDA for PAGA penalties should be granted.

16. Counsel for the parties shall file memoranda, declarations, or other statements and materials in support of their request for final approval of the Settlement, attorneys' fees, litigation expenses, Plaintiffs' Incentive Awards, settlement administration costs, and payment to the LWDA for PAGA penalties at least 30 calendar days prior to the Final Approval Hearing.

17. The Court orders the following implementation schedule for further proceedings:

Deadline for Defendants to submit Class List to Settlement Administrator	[30 calendar days after Preliminary Approval Order]
Deadline for Settlement Administrator to mail the	[45 calendar days after Defendants provide

