

FILED
San Francisco County Superior Court

MAR 11 2011

CLERK OF THE COURT
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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO

JOANNE GREEN, on behalf of herself and all
others similarly situated,

Plaintiff,

vs.

GREYHOUND LINES, INC. and Does 1
through 50, inclusive,

Defendants.

No. CGC-09-484924

~~(PROPOSED)~~ ORDER

- a) GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT;
AND,
- b) APPROVING REQUEST FOR CLAIMS ADMINISTRATOR FEE.

DATE: March 11, 2011
TIME: 10:30 a.m.
DEPT: 304

Hon. Richard A. Kramer

On March 11, 2011, the Court held a hearing on the application of Plaintiff and Class Representative Joanne Green for final approval of the parties' settlement and payment of claim administration fee. Robin G. Workman of Qualls & Workman, LLP, appeared for Plaintiff; and, JoAnna L. Brooks, of Jackson Lewis appeared for Defendant Greyhound Lines, Inc.

The Court having read and considered the papers on the motion, the arguments of counsel, and the law, and good cause appearing therefore,

IT IS HEREBY ORDERED:

1 The Court grants final approval of the terms of settlement and agreed upon procedures as
2 set forth in the Application for Preliminary Approval and the Joint Stipulation of Settlement. The
3 Court finds that the manner and form of notice as set forth in the Joint Stipulation of Settlement
4 was provided to class members as ordered by the Court. The Court finds the manner and form of
5 notice as set forth in the Joint Stipulation of Settlement and approved and ordered by the Court is
6 reasonably calculated to give actual notice to class members of the fact of settlement and the right
7 to receive settlement benefits, to be excluded from the settlement, and to raise objections to the
8 settlement.

9 The Court finds that the proposed settlement was reached following meaningful discovery
10 and investigation conducted by Class Counsel, the proposed settlement is a result of adversarial,
11 arm's-length negotiation between the parties, and the terms of settlement in all respects are fair,
12 adequate, and reasonable. In so finding, the Court considered evidence presented regarding the
13 strength of the Plaintiff's case, the risk, expense and complexity of the claims presented, the likely
14 duration of further litigation, the amount offered in settlement, the extent of investigation and
15 discovery completed, and the experience and views of Class Counsel. The Court further
16 considered the lack of objections to the proposed settlement and the lack of requests for exclusion
17 from the settlement by class members.

18 The request for certification of the Settlement Class defined as follows:

- 19 (1) all non-exempt union and non-union employees who have been employed
20 by Defendant in the State of California from February 11, 2005 through
21 the date of preliminary approval (uniform class);
22 (2) all non-exempt union and non-union employees who have been employed
23 by Defendant in the State of California from February 11, 2005 through the
24 date of preliminary approval who earned a commission, bonus, retroactive
25 pay, training pay or shift-differential pay during the same period they
26 worked overtime (overtime class), excluding drivers;
27 (3) all non-exempt non-driver employees who have been employed by
28 Defendant in the State of California from February 11, 2005 through the

1 date of preliminary approval (meal period class);
2 (4) all employees who have been employed by Defendant in the State of
3 California from February 11, 2005 through the date of preliminary approval
4 and received a wage payment on a pay card (pay card class);

5 is GRANTED. The Court finds that the proposed class is sufficiently numerous such that
6 resolution of claims on a class basis promotes efficient judicial administration and is therefore
7 warranted. The Court further finds that claims presented by Plaintiff's Second Amended
8 Complaint give rise to predominant common questions of law and fact among members of the
9 Settlement Class, Plaintiff's claims are typical of those of the class, and efficient administration of
10 predominant, common claims of individual class members recommends certification of the class.

11 The Court further finds and appoints Qualls & Workman, L.L.P. as Class Counsel for the
12 Settlement Class and JoAnne Green as Class Representative.

13 The Court approves payment in the amount of \$55,307.46 to Rust Consulting for services
14 rendered by it as Claims Administrator. The Court finds that amount fair and reasonable
15 compensation based on evidence presented of the time and effort spent by Rust Consulting in
16 administering the claims.

17 The Court finds and determines that payment to the California Labor and Workforce
18 Development Agency of \$75,000 from the \$100,000 award made pursuant to the Labor Code
19 Private Attorneys General Act as its share of the settlement of civil penalties in this case is fair,
20 adequate, and reasonable. The Court hereby gives final approval to and orders that the payment of
21 that amount be paid in accordance with the Settlement Agreement.

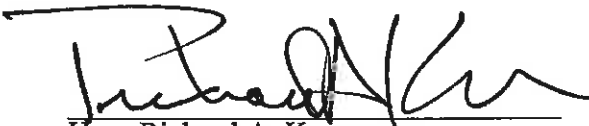
22 Pursuant to the Settlement Agreement, Code of Civil Procedure Section 664.6 and Rule
23 3.769(h) of the California Rules of Court, the Court retains jurisdiction over this action, Plaintiff,
24 Settlement Class Members, and Defendants for the purposes of: (a) the implementation and
25 enforcement of the Settlement Agreement until each and every act agreed to be performed by the
26 parties to the Settlement Agreement shall have been performed; (b) any other action necessary to
27 conclude this settlement and to implement the Settlement Agreement; and (c) the construction and
28 interpretation of the Settlement Agreement.

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With respect to the distribution of funds pursuant to the Settlement Agreement, the Claims Administrator, upon the completion of the process of such distribution, shall prepare, and cause to be filed with this Court, a declaration regarding the distribution.

IT IS SO ORDERED.

Dated: 3-11-11



Hon. Richard A. Kramer
Judge of the Superior Court