

# Superior Court of California, County of San Joaquin

## Tentative Ruling

**Date:** 03/11/2025

**Case Number:** STK-CV-UOE-2021-0008294

**Michael George McCann, individually and on behalf of himself and all others similarly situated vs Republic Services, Inc., a Delaware Corporation et al.**

**Event:** Motion for Approval of Class Action Settlement

**Event Date:** 03/12/2025 at 9:00 AM in Department 10B

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### **3/12/25 – Motion for Preliminary Approval of PAGA and Class Action Settlement**

Plaintiff brings a MOTION FOR PRELIMINARY APPROVAL OF PAGA AND CLASS ACTION SETTLEMENT. The Motion is unopposed. Having read the moving papers, the Court issues the following tentative ruling:

The Motion is GRANTED.

Based on the moving papers the court finds: (1) The settlement agreement resulted from arm's length negotiation; (2) the strength of Plaintiffs' cases and complexities of further litigation favor the negotiated resolution; (3) the settlement has no obvious deficiencies; (4) the certification of the class is appropriate as the class is ascertainable and sufficiently numerous and the class members share a well-defined community of interest; (5) the class representative's enhancement award, the appointment of class counsel, class counsel fees payment, and class counsel litigation expense payment are reasonable; (6) the settlement administrator is qualified and its costs in light of the class size are not unreasonable and the services provided are necessary; and (7) the content and manner of the notice to class members complies with California Rule of Court 3.766.

The Court also notes that the Notice to the Class Members has a 45-day for the class members to respond. The Court ORDERS that the Notice reflect a 60-day "Notice Response Deadline" for the class members to respond as stated in the Settlement Agreement at paragraph 19. This change is to be made wherever the Response Deadline is to be listed, including but not limited to Sections IV(B), IV(C) and VIII(B). The Court also notes that there appears to be no Section V in the Notice.

The hearing for final approval of the class and representative action settlement is set for September 11, 2025 at 9:00 am in Dept. 10B.

The Case Management Conference currently scheduled for March 12, 2025 at 8:45 am in Dept. 10B is VACATED.

The Court will sign the Proposed Order submitted by the moving party.

Blanca A. Bañuelos  
Judge of the Superior Court of California

### **DIRECTIONS FOR CONTESTING OR ARGUING THE TENTATIVE RULING**

Tentative rulings for Law and Motion will be posted electronically beginning at 1:30 p.m. the day before the hearing. Any party wishing to contest or argue the tentative ruling must email the court at [civilcourtclerks@sjcourts.org](mailto:civilcourtclerks@sjcourts.org) that they intend to appear remotely or in person in Dept. 10B no later than 4:00 PM on the day before the scheduled hearing. The Department, Case number, Case Name, and party's name must be in the header of the email. The email must include the Department, Case number, Case Name, Motion, party's name and email, date and time of the hearing, issues they plan to argue, and that they have informed the opposing party. The party must also notify affected counsel, or unrepresented parties that they intend to appear, no later than 4:00 PM on the day before the scheduled hearing.

Unless the Court and opposing counsel have been notified, the tentative ruling shall become the ruling of the Court without oral argument.

Department 10B is open for in person appearances.

For remote appearances, please call into the dedicated conference bridge line for Department 10B at the time set for the hearing. The conference bridge phone number is (209) 992-5590. Follow the prompts and dial 6939 (4-digit bridge line) and 3892 (4-digit pin number).

