

Superior Court of California, County of San Joaquin

Tentative Ruling

Date: 03/19/2025

Case Number: STK-CV-UOE-2023-0010362

Roger Lee Capps vs West Coast Energy Systems LLC, a California limited liability company et al.

Event: Motion for Approval of Class Settlement

Event Date: 03/20/2025 at 9:00 AM in Department 11B

Preliminary Approval Class Action/PAGA

2023-10362

Capps

Motion for Preliminary Approval

3/20/2025

Plaintiff Roger Lee Caps, on behalf of himself and all other similarly situated, brings a Motion for Preliminary Approval of Class Action/PAGA Settlement. Having read the moving papers and noting no opposition has been filed, the court issues the following tentative ruling:

No opposition on file. A failure to oppose a motion may be deemed a consent to the granting of the motion. (California Rules of Court, Rule 8.54(c).)

APPEARANCES REQUIRED TO SET FINAL APPROVAL HEARING DATE. Parties may appear remotely via the Dept. 11B Dedicated Bridge Line: (209) 992-5590; Bridge # 6941; Passcode 5564.

This was an arms-length negotiated resolution where both parties were represented by competent counsel. The moving papers establish that the Settlement Terms are fair to those affected, and provisional certification of the class is appropriate for purposes of settlement. Therefore, the court preliminary approves the class action settlement as set forth in the Order Granting Preliminary Approval of Class Action Settlement.

After a mutually convenient date and time for the final approval has been determined the court will sign the order presented by moving party.

3/19/2025

Directions for Contesting or Arguing the Tentative Ruling: Tentative rulings for Law and Motion will be posted electronically by 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. that they intend to appear remotely 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. To conduct a remote appearance, follow the instructions below. There is a dedicated conference bridge lines for Dept. 11B. Call into dedicated conference bridge line at the time set for the hearing. To attend the remote hearing in Dept. 11B: Call into (209) 992-5590, then follow the prompts and use the Bridge # 6941 and Pin # 5564. The courtroom clerk will make announcements and the Judge will call the calendar. Please mute your phones when you are not speaking, and remember to unmute your phone when you are speaking. At this time, we are not able to provide information over the phone. To communicate with the Courtroom Clerk of Dept. 11B, please email questions to civilcourtclerks@sjcourts.org, indicating in the title of the email the Department, Case number, Case Name, and party's name. A Courtroom Clerk will return your email. To ensure the Court has your most recent contact information, if you have not already done so, please register your email address and mobile number on the Court's website under Online Services, Attorney Registration. (You do not have to be an attorney to register.) We thank you for your cooperation, assistance, patience and flexibility