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16 *and other similarly situated non-exempt former and current employees*

17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

18 **FOR THE COUNTY OF LOS ANGELES**

19 DONALD DUFFIE, on behalf of himself and
20 other similarly situated non-exempt former and
21 current employees,

22 Plaintiffs,

23 vs.

24 RELIABLE ENERGY MANAGEMENT,
25 INC.; and DOES 1 through 100, inclusive,

26 Defendants.

FILED
Superior Court of California
County of Los Angeles

07/31/2025

David W. Stryker, Executive Officer / Clerk of Court

By: A. Morales Deputy

Case No.: 23STCV28325

[Assigned for all purposes to the Hon.
Samantha Jessner, Dept. 7]

CLASS ACTION

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Complaint Filed: November 17, 2023
Trial: Not Set

[PROPOSED] ORDER

The Motion of Plaintiff Donald Duffie (“Plaintiff”) for Preliminary Approval of the Class Action and Private Attorneys General Act (“PAGA”) Settlement Agreement came on regularly for hearing before this Court on June 18, 2025 at 8:30 a.m. The Court, having considered the proposed Class Action and PAGA Settlement Agreement (the “Settlement”) and Notice of Class Action Settlement; and having considered the Notice of Motion and Motion for Preliminary Approval, Memorandum of Points and Authorities in support thereof, and supporting declarations; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

1. The Court GRANTS preliminary approval of the class action and PAGA settlement as set forth in the Settlement and finds the terms to be within the range of reasonableness of a settlement that ultimately could be granted approval by the Court at a Final Fairness Hearing. For purposes of the Settlement only, the Court finds that the proposed Settlement Class is ascertainable and that there is a sufficiently well-defined community of interest among the members of the Settlement Class in questions of law and fact. Therefore, for settlement purposes only, the Court grants conditional certification of the following Settlement Class:

“All current and former non-exempt employees of Reliable Energy Management, Inc. and employed in California at any time during the class period of November 17, 2019 through February 1, 2021.”

2. For purposes of the Settlement, the Court designates named Plaintiff Donald Duffie as Class Representative; Brandon J. Sweeney of the Sweeney Law Firm, Rochelle E. Rodriguez and James M. Eashoo of Eashoo Law and as Class Counsel.

3. The Court recognizes that certification under this Order is for *settlement purposes only*, and shall not constitute or be construed as a finding by the Court, or an admission on the part of Defendant, that this action is appropriate for class or PAGA treatment for litigation purposes. Entry of this Order is without prejudice to the rights of Defendants to oppose class certification in this action, should the proposed Settlement not be granted full and final approval.

4. The Court designates APEX Class Action Settlement Administration as the third-

1 party Settlement Administrator for class administration.

2 5. The Court hereby preliminarily approves the Gross Fund Value (“GFV”) of
3 \$200,000.00. The GFV includes (i) all payments to the Class Members; (ii) Plaintiff’s counsels’
4 attorneys’ fees and costs; (iii) payment for the PAGA settlement to the Aggrieved Members
5 and California Labor and Workforce Development Agency (“LWDA”); (iv) the costs of
6 administration of the settlement; (v) enhancement payment to the Plaintiff subject to Court
7 approval; and (vi) all payroll taxes and taxes payable to federal and state tax authorities as the
8 result of this Settlement.

9 6. It appears to the Court on a preliminary basis that:

- 10 a. The settlement amount is fair and reasonable to all Class Members and
11 Aggrieved Employees when balanced against the probable outcome of
12 further litigation relating to liability and damages issues;
- 13 b. Extensive and costly investigation and research have been conducted
14 such that counsel for the Parties at this time are reasonably able to evaluate
15 their respective positions;
- 16 c. Settlement at this time will avoid additional substantial costs, such as those
17 that have already been incurred by the Parties, as well as avoid the delay
18 and risks that would be presented by the further prosecution of this
19 litigation; and
- 20 d. The proposed settlement has been reached as the result of intensive,
21 serious, and non-collusive arm’s-length negotiations.

22 7. The Court approves, as to form and content, the Class Notice which is attached to
23 the Declaration of Brandon J. Sweeney as Exhibit 2, filed on June 21, 2025.

24 8. The Court finds that the form of notice to the Settlement Class regarding the
25 pendency of the action and of the Settlement, and the methods of giving notice to members of
26 the Settlement Class, constitutes the best notice practicable under the circumstances, and
27 constitutes valid, due, and sufficient notice to all members of the Settlement Class. The form
28 and method of giving notice complies fully with the requirements of California Code of Civil

1 Procedure section 382, California Civil Code section 1781, California Rules of Court 3.766 and
2 3.769, the California and United States Constitutions, and other applicable law.

3 9. The Court further approves the procedures for Class Members to opt out of,
4 dispute their estimated recovery and object to the Settlement, as set forth in the Class Notice.

5 10. The procedures and requirements for filing objections in connection with the
6 Final Fairness Hearing is intended to ensure the efficient administration of justice and
7 the orderly presentation of any Class Members objection to the Settlement, in accordance
8 with the due process rights of all Class Members.

9 11. The Court directs the Settlement Administrator to mail the Class Notice to the
10 members of the Settlement Class in accordance with the terms of the Settlement.

11 12. The Class Notice shall provide at least 45 calendar days' notice for members
12 of the Settlement Class to opt out of, dispute or object to the Settlement.

13 13. The Final Approval Hearing on the question of whether the Settlement should be
14 approved as fair, reasonable, and adequate is scheduled in Department 7 of this Court, located at
15 312 North Spring Street, Los Angeles, California 91102 on Ö^&{ à^!ÆF, 2025 at
16 F€€€ a.m./p.m.

17 14. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement
18 should be finally approved as fair, reasonable, and adequate for the Settlement Class; (b)
19 whether a judgment granting final approval of the Settlement should be entered; and (c) whether
20 Plaintiff's application for reasonable attorneys' fees, reimbursement of litigation expenses,
21 enhancement payment to Plaintiff, and payment to the Labor and Workforce Development
22 Agency ("LWDA") for penalties under the Labor Code Private Attorneys General Act
23 ("PAGA") should be granted.

24 15. Counsel for the parties shall file a memorandum of points and authorities,
25 supporting declarations, or other statements and materials in support of the request for final
26 approval of the Settlement, attorneys' fees, litigation expenses, Plaintiff's enhancement
27 payment, settlement administration costs, and payment to the LWDA for PAGA penalties prior
28 to the Final Fairness Hearing according to the time limits set by the Code of Civil Procedure
and the California Rules of Court.

16. The implementation schedule is below:

Event	Date
Deadline to provide Class Data to Settlement Administrator	15 days after receipt of the preliminary approval order
Settlement Administrator to mail Class Notices to Class Members	30 days after receipt of the Class Data
Deadline for Class Members to request exclusion from, submit disputes, or object to, the Settlement	45 days after the Administrator mails the initial Notice Class (plus an additional 14 days for any Class Member whose Class Notice was returned to the Administrator and then re-mailed
Deadline for Plaintiffs to file Motion for Final Approval of Class Action Settlement:	_____, 2025
Final Approval Hearing:	_____, 2025

17. Pending the Final Fairness Hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this Order, are stayed.

18. Counsel for the parties are hereby authorized to utilize all reasonable procedures in connection with the administration of the Settlement which are not materially inconsistent with either this Order or the terms of the Settlement.

19. Nothing in this Order or the Settlement shall be construed as an admission or concession by any party. The Settlement and this Order simply represent an effort to compromise and resolve disputed allegations.

20. If, for any reason, the Court does not grant final approval of the Settlement, all evidence and proceedings held in connection with this preliminary and final approval will be without prejudice to the status quo and rights of the parties to the litigation as more specifically set forth in the Settlement Agreement.

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IT IS SO ORDERED.

DATED: 07/31/2025



A handwritten signature in black ink, appearing to read "Samantha Jessner", is written over a horizontal line.

Samantha Jessner / Judge

HON. SAMANTHA JESSNER
SUPERIOR COURT JUDGE
LOS ANGELESE COUNTY

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

CASE NAME: *Duffie v. Reliable Energy Management, Inc.*

CASE NO.: 23STCV28325

I declare as follows:

I am employed in the County of Los Angeles, California. I am over the age of 18 years, and not a party to the within action; my business address is The Sweeney Law Firm, 22647 Ventura Blvd., Ste. 603, Woodland Hills, California 91364. I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing affidavit.

On June 27, 2025, I served a true and correct copy, with all exhibits, of the following document(s) described as follows: **(2) PROPOSED ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT**

[X] (*Electronic Service*) Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses on the attached service list on the dates and at the times stated thereon. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. The electronic notification address of the person making the service is bsweeney@thesweeneylawfirm.com:

Linda G. Krieger, Esq. LKrieger@egsllp.com Victor Ujkic, Esq. VUjkic@egsllp.com ELLENOFF GROSSMAN & SCHOLE, LLP 249 E. Ocean Blvd., Suite 750 Long Beach, California 90802	<i>Attorneys for Defendant RELIABLE ENERGY MANAGEMENT, INC.</i>
James Eashoo (james@eashoolaw.com) Rochelle E. Rodriguez, Esq. (rochelle@eashoolaw.com) EASHOO LAW, PC 9454 Wilshire Boulevard, Suite 600 Beverly Hills, California 90212	<i>Attorneys for Plaintiff DONAL DUFFIE</i>

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on June 27, 2025, at Woodland Hills, California.

By: *Brandon Sweeney*
Signature of Declarant

By: Brandon J. Sweeney
Name of Declarant

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