

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

EMILY BAILEY

Plaintiff/Petitioner(s)

VS.

BAY MEDIC

TRANSPORTATION, INC.

Defendant/Respondent

(s)

No. 24CV078456

Date: 09/01/2026

Time: 2:30 PM

Dept: 21

Judge: S. Raj Chatterjee

ORDER Hearing on Motion - Other

Motion for Preliminary

Approval of Class Action

and PAGA Settlement;

filed by EMILY BAILEY

(Plaintiff) CRS#

664682183720 filed by

EMILY BAILEY (Plaintiff)

on 07/28/2026

Prior to the hearing, the Court issued a tentative ruling, which was not contested and was affirmed as set forth below.

The Motion for Preliminary Approval of Settlement filed by EMILY BAILEY on 07/28/2026 is Granted.

The motion of plaintiffs for preliminary approval of class action and PAGA settlement is GRANTED.

The complaint alleges various Labor Code claims.

The case preliminarily settled for a total of \$ 1,800,000. The settlement agreement states there will be attorneys' fees of up to \$ 630,000 (35%), costs of up to \$30,000, Service Payment of \$10,000 to Plaintiff, settlement administration costs of up to \$15,000, and a PAGA payment of \$100,000 (\$75,000 to the LWDA). After these expenses of \$760,000, the amount available to be distributed to the Class would be \$1,040,000. There are an estimated 1,083 Class Members. The average recovery for each class members would be \$960.

The motion makes an adequate analysis as required by Kullar v. Foot Locker Retail, Inc. (2008)

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(Plaintiff) CRS# 664682183720 filed by EMILY BAILEY
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168 Cal.App.4th 116.

The proposed class notice form and procedure are adequate.

The proposed class is appropriate for class certification.

The scope of the named plaintiff release is appropriate. The agreement for the named plaintiff may include a Civil Code 1542 waiver.

The scope of the LWDA's release for claims asserted under the PAGA is appropriate. The scope of the LWDA's release is limited to the scope of the PAGA notice letter. (LaCour v. Marshalls of California, LLC (2023) 94 Cal.App.5th 1172, 1192-1196.)

The scope of the class release is appropriate. The scope of the class release is limited to the claims arising out of the claims in the complaint where the named plaintiffs are typical and can adequately represent the class. (Amaro v. Anaheim Arena Management, LLC (2021) 69 Cal.App.5th 521, 537-538.)

The Court notes and approves of the plan to distribute the settlement funds with no claims process.

The Court approves of the installment plan of funding and the related plan to distribute the settlement funds to class members.

The unclaimed funds will be distributed to San Francisco State University Cy Pres Fund.. This is consistent with CCP 384. In the motion for final approval Counsel must provide a declaration in support of the motion that provides the information required by CCP 382.4.

The Court will not approve the amount of attorneys' fees and costs until the final approval hearing. The Court cannot award attorneys' fees without reviewing information about counsel's hourly rate and the time spent on the case. This is the law even if the parties have agreed that Defendants will not oppose the motion for fees. (Robbins v. Alibrandi (2005) 127 Cal. App. 4th 438, 450-451.)

The Court will not decide the amount of any service award until the final approval hearing. Plaintiff must provide evidence regarding the nature of his participation in the action, including a description of his specific actions and the amount of time he committed to the prosecution of the case. (Clark v. American Residential Services LLC (2009) 175 Cal.App.4th 785, 804-807.)

The Court ORDERS that the final approval hearing is set for 2/9/27.

The Court ORDERS that funds not be distributed to the cy pres beneficiary until after Court approval of a final accounting.

The Court ORDERS that 10% of any fee award not be distributed to counsel until the completion of the distribution process and Court approval of a final accounting.

The Court will set a compliance hearing after the completion of the distribution process for counsel for plaintiff and the Administrator to comply with CCP 384(b) and to submit a summary

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accounting how the funds have been distributed to the class members and the status of any unresolved issues. If the distribution is completed, the Court will at that time order distribution of the cy pres funds and release any hold-back of attorney fees.

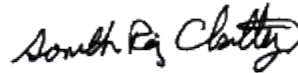
The court ORDERS that at the time of the final accounting that counsel for plaintiff transmit a copy of this order and the final judgment and the final accounting to the Judicial Council. (CCP 384.5; Govt Code 68520.)

The court will sign the proposed order, which is modified by this order. Plaintiff must reserve a hearing for the motion for final approval.

Compliance Hearing re: Final Approval is scheduled for 02/09/2027 at 02:30 PM in Department 21 at Rene C. Davidson Courthouse.

The Court orders counsel to obtain a copy of this order from the eCourt portal.

Dated : 09/01/2026



S. Raj Chatterjee / Judge