

1 David Mara, Esq. (230498)
2 Jamie Serb, Esq. (289601)
3 Tony Roberts (315595)
4 **MARA LAW FIRM, PC**
5 2650 Camino Del Rio North, Suite 205
6 San Diego, California 92108
7 Telephone: (619) 234-2833
8 Facsimile: (619) 234-4048

9 Attorneys for DAVID ALLEY,
10 on behalf of himself, all others similarly situated,
11 and on behalf of the general public.

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

13 **IN AND FOR THE COUNTY OF SAN FRANCISCO**

14 DAVID ALLEY on behalf of himself
15 and all others similarly situated, and on
16 behalf of the general public,

17 Plaintiff,

18 v.

19 BLUE BUS TOURS, LLC; and DOES 1-
20 100;

21 Defendants.

Case No. CGC-18-569909

**NOTICE OF ENTRY OF ORDER
GRANTING FINAL APPROVAL OF
CLASS ACTION SETTLEMENT;
JUDGMENT**

CLASS ACTION

Action Filed: September 19, 2018
Trial date: None set

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 NOTICE IS HEREBY GIVEN that on September 21, 2020, the Court issued an Order Granting
3 Final Approval of Class Action Settlement and Judgement. A true and correct copy of the
4 Court's Order is attached hereto as Exhibit 1. A true and correct copy of the Court's Judgment is
5 attached hereto as Exhibit 2.

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7 Dated: September 23, 2020

MARA LAW FIRM, PC

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10 Dave Mara, Esq.
11 Jamie Serb, Esq.
12 Attorneys for Plaintiff
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Exhibit 1

1 Having received and considered the Second Amended Joint Stipulation and Settlement
2 Agreement (the "Settlement Agreement"), which is attached as Exhibit 1 to the May 11, 2020
3 Declaration of Jamie Serb, the supporting papers filed by the Parties, and the evidence and
4 argument received by the Court in conjunction with the Motion for Preliminary Approval of
5 Class Action Settlement, and Plaintiff's Motion for Final Approval of Class Action Settlement,
6 and Entering Judgment, the Court **GRANTS** final approval of the Settlement and **HEREBY**
7 **ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:**

8 1. Pursuant to the Preliminary Approval Order, the Notice of Class Action
9 Settlement (hereinafter referred to as the "Notice") was mailed to all members of the Class by
10 first-class U.S. mail. The Notice informed the Class of the terms of the Settlement, of their right
11 to receive their proportional Settlement Payment, of their right to request exclusion from the
12 Class and the Settlement, of their right to comment upon or object to the Settlement and to
13 appear in person or by counsel at the final approval hearing and of the date set for the Final
14 Approval hearing. The Notice provided to the Class Members met the requirements of due
15 process and constituted the best notice practicable in the circumstances. Based on the evidence
16 and other material submitted in conjunction with the final approval hearing, notice to the class
17 was adequate.

18 2. In response to the Notice, no members of the Class filed a written objection to the
19 Settlement, no Class Members stated an intention to appear at the final approval hearing, and no
20 Class Members appeared at the final approval hearing.

21 3. One Class Member validly requested exclusion from the Settlement. Those who
22 have requested exclusion are not members of the Settlement Class certified below, shall be
23 named in the Judgment as having opted out, shall receive no funds under this Order, and are not
24 bound by the Judgment.

25 4. The Court finds that the terms of the Settlement Agreement are fair, reasonable
26 and adequate to the Class and to each Class Member. Plaintiff has satisfied the requirements for
27 final approval of this class action settlement. The settlement, as set forth in the Settlement
28 Agreement, is ordered finally approved and the parties are directed to effectuate the Settlement
Agreement according to its terms and this Order.

1 5. For Settlement purposes only, the following Settlement Class is finally certified:
2 “All employees who are or were employed by Blue Bus Tours, LLC as hop on/hop off drivers,
3 charter drivers, per capita or any other types of drivers in California at any time during the Class
4 Period.” The Class Period extends from September 19, 2014 through May 14, 2020 (the date of
5 the Preliminary Approval Order).

6 6. The Court hereby confirms David Mara, Jamie Serb, and Tony Roberts of Mara
7 Law Firm, PC, as Class Counsel in this action.

8 7. The Court hereby confirms Plaintiff David Alley as the Class Representative in
9 this action.

10 8. For settlement purposes only, the proposed Settlement Class meets the
11 requirements for certification under C.C.P. § 382. Specifically, for settlements purposes: (1) the
12 proposed Settlement Class is numerous and ascertainable; (2) there are predominant common
13 questions of law or fact; (3) Plaintiff’s claims are typical of the claims of the members of the
14 proposed Settlement Class; (4) Plaintiff has fairly and adequately protected the interests of the
15 Class Members; (5) Class Counsel is qualified to serve as counsel for Plaintiff and the Settlement
16 Class; and (6) a class action is superior to other methods to efficiently adjudicate this controversy
17 through settlement.

18 9. Upon the Effective Date as defined in the Settlement Agreement, Plaintiff and the
19 certified Settlement Class, which excludes the Class Member who opted out, release all Released
20 Claims against the Released Parties. The Released Claims are defined in the Settlement
21 Agreement as follows: “[A]ll known and unknown claims, including recovery period, unpaid
22 wage, missed breaks, failure to provide sick leave, inaccurate wage statements, unreimbursed
23 expenses, that were alleged or that could have been alleged based on the facts of the First
24 Amended Complaint filed in the matter.”

25 10. The only Class Members entitled to payment pursuant to this Order are
26 Participating Class Members, Class Members who did not submit a valid and timely request to
27 exclude themselves from this settlement.

28 11. Payment of a service award in the amount of \$3,600 to Plaintiff David Alley is
 approved for his service as class representative.

1 12. Payment to the Settlement Administrator, ILYM Group, Inc. in the sum of
2 \$10,717.03 for the cost of administering the settlement is approved..

3 13. Payments to Class Counsel in the amount of \$133,200 for attorneys' fees and
4 \$15,991.22 for litigation costs are approved.

5 14. The United Way is designated as the cy pres beneficiary. Once the provisions in
6 the Settlement Agreement triggering a cy pres distribution are satisfied, the cy pres distribution
7 shall be carried out in compliance with the Settlement Agreement and C.C.P. § 384.

8 15. Each of the payments identified above, and the payment of compensation to the
9 Participating Class Members, shall be made in accordance with the terms of the Settlement
10 Agreement.

11 16. The Court sets a final compliance hearing for December 27, 2021 at 9:15 a.m. in
12 Department 304. A compliance status report setting forth the results of the distribution process
13 and a proposed Amended Judgment shall be filed (with a courtesy copy delivered to the Court) at
14 least five court days prior to the compliance hearing. The final status report shall be supported by
15 an admissible declaration. The amended judgment will direct the Settlement Administrator to
16 pay the sum of uncashed checks and unclaimed Class Member funds to the approved cy pres
17 beneficiary. No later than five days after receipt of notice of entry of the amended judgment, the
18 parties shall submit the amended judgment to the Judicial Council, pursuant to Code Civ. Proc. §

19 17. Notice of entry of this Order and Judgment shall be provided to the Class
20 Members by posting a copy of this Order and the final judgment on ILYM's website and
21 Plaintiff's counsel's website, www.maralawfirm.com, for a period of at least sixty (60) calendar
22 days from the date the judgment is entered.

23 18. Without affecting the finality of this Order in any way, the Court retains
24 jurisdiction of all matters relating to the interpretation, administration, implementation,
25 effectuation, and enforcement of this Order and the Settlement Agreement.

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19. The Parties shall bear their own costs and attorneys' fees except as otherwise provided for by the Settlement Agreement and this Court's Order Granting Final Approval.

IT IS SO ORDERED.

Dated: September 4, 2020



Anne-Christine Massullo
Judge of the Superior Court

Superior Court of California
County of San Francisco

DAVID ALLEY, on behalf of himself and
all others similarly situated, and on behalf
of the general public,

Plaintiff(s)

vs.

BLUE BUS TOURS, LLC, ET AL.,

Defendant(s)

Case No. CGC-18-569909

**CERTIFICATE OF ELECTRONIC
SERVICE**
(CCP 1010.6(6) & CRC 2.251)

I, Jose Rios Merida, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On September 22, 2020, I electronically served the attached (1) ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT; and (2) JUDGMENT via File&ServeXPress® on the recipients designated on the Transaction Receipt located on the File&ServeXPress® website.

Dated: September 22, 2020

T. Michael Yuen, Clerk/Executive Officer

By:



Jose Rios Merida, Deputy Clerk

Exhibit 2

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FILED
Superior Court of California
County of San Francisco

SEP 22 2020

CLERK OF THE COURT

BY: [Signature]
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN FRANCISCO

DAVID ALLEY on behalf of himself
and all others similarly situated, and on
behalf of the general public,

Plaintiff,

v.

BLUE BUS TOURS, LLC; and DOES 1-
100;

Defendants.

Case No. CGC-18-569909

JUDGMENT

1 The Court hereby enters final judgment in this Action in accordance with the terms of
2 this Court's Order Granting Final Approval of Class Action Settlement (the "Final Approval
3 Order").

4 The class is defined as: "All employees who are or were employed by Blue Bus Tours,
5 LLC as hop on/hop off drivers, charter drivers, per capita or any other types of drivers in
6 California at any time during the Class Period." The Class Period runs from September 19, 2014
7 through May 14, 2020 (the date of the Preliminary Approval Order).

8 One member of the proposed Settlement Class validly requested exclusion. The Settlement Class
9 governed by the Court's Final Approval Order and this Judgment does not include the following
10 individual: Shuntell Dickerson

11 The only Settlement Class Members entitled to payment pursuant to this Judgment are
12 Participating Class Members.

13 The common fund generated by the settlement is for \$400,000. Through its Final
14 Approval Order, the Court has authorized the following distributions from the common fund: (1)
15 \$133,200 for attorneys' fees; (2) \$15,991.22 for litigation costs; (3) \$10,717.03 to the Settlement
16 Administrator for the costs of administration; (4) \$3,600 as a service award to Plaintiff.
Accordingly, \$236,491.75 is payable to the Participating Class Members.

17 Notice of entry of this Judgment shall be given to the Settlement Class by posting it on
18 the Settlement Administrator's website and Class Counsel's website for no less than 60 days
19 from the date judgment is entered.


20 Without affecting the finality of the Final Order and/or this Judgment, pursuant to
21 California Code of Civil Procedure Section 664.6 and Rule 3.769(h) of the California Rules of
22 Court, the Court reserves exclusive and continuing jurisdiction over this Action, the Plaintiff,
23 Participating Class Members, and Defendant for the purposes of supervising the implementation,
24 enforcement, construction, and interpretation of the Settlement Agreement, the Preliminary
25 Approval Order, the Final Approval Order, and the Judgment.

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1 This document shall constitute a judgment for the purposes of California Rules of Court, Rule
2 3.769(h).

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4 Dated: September 21, 2020


Anne-Christine Massullo
Judge of the Superior Court

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Superior Court of California
County of San Francisco

DAVID ALLEY, on behalf of himself and
all others similarly situated, and on behalf
of the general public,

Plaintiff(s)

vs.

BLUE BUS TOURS, LLC, ET AL.,

Defendant(s)

Case No. CGC-18-569909

**CERTIFICATE OF ELECTRONIC
SERVICE**
(CCP 1010.6(6) & CRC 2.251)

I, Jose Rios Merida, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On September 22, 2020, I electronically served the attached (1) ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT; and (2) JUDGMENT via File&ServeXPress® on the recipients designated on the Transaction Receipt located on the File&ServeXPress® website.

Dated: September 22, 2020

T. Michael Yuen, Clerk/Executive Officer

By: _____


Jose Rios Merida, Deputy Clerk

1 David Mara, Esq. (SBN 230498)
2 Jill Vecchi, Esq. (SBN 299333)
3 Matthew Crawford, Esq. (SBN 310230)
4 **MARA LAW FIRM, PC**
5 2650 Camino Del Rio N., Suite 205
6 San Diego, CA 92108
7 Telephone: 619.234.2833
8 Facsimile: 619.234.4048

9 Attorneys for Plaintiffs DAVID ALLEY,
10 on behalf of himself, all others similarly situated,
11 and on behalf of the general public.

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **IN AND FOR THE COUNTY OF SAN FRANCISCO**

14 DAVID ALLEY, on behalf of himself,
15 all others similarly situated, and on
16 behalf of the general public

17 Plaintiff,

18 v.

19 BLUE BUS TOURS, LLC; and DOES 1-
20 100,

21 Defendants.

Case No. CGC-18-569909

Proof of Service

Complaint Filed: September 19, 2018
Trial Date: None Set

1 **Case Name:** David Alley and Arya Khosravi v. Blue Bus Tours, LLC; Gray Line
2 **Corporation Inc.**
3 **Court:** San Francisco Superior Court
4 **Case Number:** CGC – 18 -- 569909

5 **PROOF OF SERVICE**

6 STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

7 I am employed in the County of: San Diego, State of California.

8 I am over the age of 18 and not a party to the within action; my business address is:
9 2650 Camino Del Rio N., Suite 205, San Diego CA 92108

10 On September 23, 2020, I served the foregoing document(s) described as:

11 **NOTICE OF ENTRY OF ORDER GRANTING FINAL APPROVAL OF CLASS**
12 **ACTION SETTLEMENT; JUDGMENT**

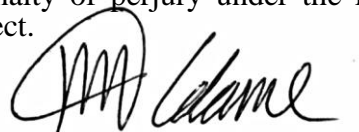
13 On interested parties in this action by placing a true copy thereof enclosed in a sealed envelope
14 addressed as follows:

15 APRIL S. GLATT, ESQ.
16 **CHAUVEL & GLATT, LLP**
17 66 Bovet Road, Suite 280
18 San Mateo, CA 94402
19 TELEPHONE: 650-573-9500
20 FACSIMILE: 650-573-9689
21 EMAIL: april@chauvellaw.com
22 EMAIL: linda@chauvellaw.com

23 **[XX] (BY E-MAIL)** On September 23, 2020, I caused the documents to be sent to the persons
24 at the electronic notification addresses of the parties named above. I did not receive, within
25 a reasonable time after the transmission, any electronic message or other indication that the
26 transmission was unsuccessful.

27 **[XX] (DECLARATION)** I declare under penalty of perjury under the laws of the State of
28 California that the above is true and correct.

Dated: September 23, 2020


Mathew Adame