

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	2:18-cv-03487-SVW-AFMx	Date	4/1/2021
Title	<i>Kareem Wilson v. J.B. Hunt Logistics, Inc. et al.</i>		

Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE

Paul M. Cruz
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

N/A

N/A

Proceedings: ORDER GRANTING PLAINTIFF’S RENEWED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT [25]

Having reviewed Plaintiff’s renewed motion, the Court now GRANTS preliminary approval of the class settlement.

The Court recognizes its obligation to independently review a proposed settlement to guard against the “inherent risk ... that class counsel may collude with the defendants, ‘tacitly reducing the overall settlement in return for a higher attorney’s fee,’” *In re Bluetooth Headset Prods. Liability Litig.*, 654 F.3d 935, 946 (9th Cir. 2011), and that this review must be particularly stringent when the settlement is proposed before class certification, *see Roes, 1-2 v. SFBSC Mgmt., LLC*, 944 F.3d 1035, 1048 (9th Cir. 2019).

In its prior order, the Court raised several concerns about whether the proposed settlement was in the best interests of class members. Dkt. 22, at 3-9. While Plaintiff has not modified the terms of the settlement in this renewed motion, Plaintiff’s counsel has provided a fuller explanation of the weaknesses of Plaintiff’s claims, and counsel’s inability to corroborate many of the allegations in the complaint. Accordingly, under Rule 23(e)(1)(B), the Court now finds (1) the Court will likely be able to approve the settlement as fair, reasonable, and adequate under Rule 23(e)(2) at the final approval hearing; (2) the Court will likely be able to certify the class for purposes of settlement; and (3) the proposal for notifying class members is reasonable. The class representative, class counsel, and settlement administrator are appointed consistent with the parties’ agreement.

Initials of Preparer

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PMC

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The Court notes its continued concern about the amount of the settlement allocated for the service award (\$7,500) and attorney’s fee (\$33,333), particularly given the small size of the overall settlement (\$100,000) and counsel’s inability to develop and support the allegations against Defendant. The Court will address those concerns at the final approval hearing.

The Court sets a final approval hearing for June 21, 2021 at 3:00 PM. As provided in the parties’ agreement, class members will have 60 days from the mailing of the notice to object or opt out of the settlement, and class members may file responses to the objections no later than seven days before the final approval hearing.

IT IS SO ORDERED.

Initials of Preparer

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PMC
