

SUPERIOR COURT OF CALIFORNIA COUNTY OF TULARE			
Julius, Desmond Anthony Plaintiff/Petitioner, vs. Amdal Transport Services, Inc. Defendant/Respondent.	Judicial Officer: Bret Hillman Clerk: Holly Bilbrey Bailiff: K Hice CSR: Tamara Sumpter Interpreter: Language:		
Minutes: Motion Hearing Other Date: September 23, 2025	Case No. VCU309520 Department 02 Related Cases:		

Appearances: ☐ No Appearances

☐ Party: _____

☐ Remote Appearance

☐ Party: _____

☐ Remote Appearance

☐ Party: _____

☐ Remote Appearance

☐ Other: _____

☐ Remote Appearance

☒ Attorney: Alan Wilcox, Counsel for Plaintiff
appearing by Zoom

☒ Remote Appearance

☐ Attorney: _____

☐ Remote Appearance

☐ Attorney: _____

☐ Remote Appearance

Case is called at 8:46 AM:

No request for oral argument.

The Court adopts the Tentative Ruling as follows:

Motion: Continued Motion for Preliminary Approval

Ruling: To grant the motion, as modified as to the enhancement award; to set the motion for final approval for April 7, 2026 8:30 am, Department 2.

Facts

The Court previously continued this motion and ordered a supplemental declaration as to the information necessary to calculate the lodestar and as to the presently incurred costs filed by Plaintiff.

On September 16, 2025, counsel filed a supplemental declaration addressing these issues.

Attorneys' Fees and Costs

Attorneys' fees of 33.3% of the gross settlement fund of \$200,000 or \$66,666.67 and costs not to exceed \$20,000.00 are sought by Plaintiff's counsel. Counsel has utilized the percentage of common fund methodology and has now provided adequate lodestar information to evaluate the reasonableness of the fee request.

Counsel indicates that Wilshire Law Firm has 133 hours at rates ranging from \$1,500 to \$800, creating a base lodestar of \$119,675. (Supplemental Declaration of Haber ¶4.)

However, the Court will reduce the hourly rates, as they are higher than what is typically "...prevailing in the community for similar work" and what the Court approves on these types of motions. (PLCM Group Inc. v. Drexler (2000) 22 Cal.4th 1084, 1095.) The Court, therefore, adjusts the hourly rates as follows:

Name	Stated Hourly Rate	Approved Hourly Rate	Hours	Total
Benjamin H. Haber	\$925	\$750	47	\$35,250
Daniel J. Kramer	\$800	\$600	72	\$43,200
Alan Wilcox	\$900	\$700	4	\$2,800
Justin Marquez	\$1,500	\$800	10	\$8,000
Total Base Lodestar (Adjusted):				\$89,250

Even with the adjustment, the lodestar exceeds the amount requested and therefore the Court approves the requested fees.

As to the presently incurred costs, counsel indicates costs of \$19,653.68. (Supplemental Declaration of Haber ¶5.) The Court, therefore, approves costs not to exceed \$20,000.

Plaintiff's deductions from the gross settlement of \$200,000 are preliminarily approved as follows:

Preliminarily Approved Attorney Fees (33.3%):	\$66,666.67
Preliminarily Approved Attorney Costs (Up To):	\$20,000.00
Preliminarily Approved Enhancement Payment to Plaintiff:	\$5,000.00
Preliminarily Approved Settlement Administrator Costs	\$5,560.00
Preliminarily Approved Total PAGA Payment	\$10,000.00
Preliminarily Approved Net Settlement Amount	\$92,773.33

Accordingly, the motion to preliminarily approve the Class Action and PAGA settlement is granted, as modified as to the enhancement award. **Motion for final approval is set for April 7, 2026 8:30 am, Department 2.**

If no one requests oral argument, under Code of Civil Procedure section 1019.5(a) and California Rules of Court, rule 3.1312(a), no further written order is necessary. The minute order adopting this tentative ruling will become the order of the court and service by the clerk will constitute notice of the order.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF TULARE**

Visalia Division
221 S Mooney Blvd, Room 201
Visalia, CA 93291
559.730.5000

Julius, Desmond Anthony
Plaintiff/Petitioner,

vs.

Amdal Transport Services, Inc.
Defendant/Respondent.

)
)
) Case No. **VCU309520**
)
)
)
)
)

CLERK'S CERTIFICATE OF SERVICE

I certify that I am not a party to this cause.

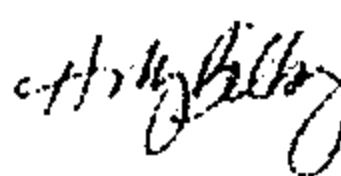
I certify that I caused the Minute Order dated September 23, 2025 to be served on the persons listed below in the following manner:

☒ BY MAIL: I placed the documents for collection and mailing on the date shown, so as to cause it to be mailed in a sealed envelope with postage fully prepaid on that date following standard court practices to the persons and addresses shown. The mailing and this certification occurred at Visalia, California on September 23, 2025.

☐ BY EMAIL: I transmitted the documents by electronic-mail to the parties designated email address on the date shown. The email and this certification occurred at Visalia, California on September 23, 2025.

☐ BY INTEROFFICE MAIL: I transmitted the documents by interoffice mail to the parties designated location on the date shown. The interoffice mailing and this certification occurred at Visalia, California on September 23, 2025.

STEPHANIE CAMERON,
CLERK OF THE SUPERIOR COURT
COUNTY OF TULARE

By 
Holly Bilbrey, Deputy Clerk

Names and Mailing/E-Mail Address of Person(s) Served:

JUSTIN MARQUEZ
WILSHIRE LAW FIRM
660 S. FIGUEROA ST, SKY LOBBY
LOS ANGELES, CA 90017

ERIKA RASCON
ORMONDE & RASCON
PO BOX 29
TULARE, CA 93275