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Contra Costa County
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Suzanne Fee, on behalf of herself and all others similarly situated, and on behalf of the general public

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF CONTRA COSTA

SUZANNE FEE, on behalf of herself and all others similarly situated, and on behalf of the general public,

Plaintiff,

vs.

CAMBRIDGE MANAGEMENT COMPANY, a California Corporation, and DOES 1 through 10, inclusive

Defendants.

CASE NO.: C22-02114

~~[PROPOSED]~~ ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

IT IS HEREBY ORDERED:

1. The Court adopts its tentative ruling attached hereto as Exhibit "A";
2. The Court grants preliminary approval and conditional certification of the Class;
3. The Court grants preliminary approval of Plaintiff Suzanne Fee as Class Representative;
4. The Court grants preliminary approval of Otkupman Law Firm, A Law Corporation, as Class Counsel;
5. The Court grants preliminary approval of Settlement of claims as set forth in the Settlement Agreement;
6. The Court approves the proposed Class Notice and Exclusion Form;
7. The Court grants preliminary approval of the Gross Settlement Amount of Two Hundred Fifty Thousand Dollars ($250,000.00);
8. The Court grants preliminary approval of ILYM Group, Inc. ("ILYM") as Settlement Administrator and payment of service in an amount up to Six Thousand Dollars ($6,000.00);
9. The Court grants preliminary approval of a Class Representative Enhancement Payment to Plaintiff Suzanne Fee in an amount up to Ten Thousand Dollars ($10,000.00);
10. The Court grants preliminary approval of the payment to Class Counsel of reasonable attorney's fees of Eighty-Two Thousand Five Hundred Dollars (($82,500.00), and costs up to Twenty Thousand Dollars ($20,000.00);
11. The Court grants the schedule for implementation of the terms of the Settlement Agreement and the Court sets a hearing on final approval on February 3, 2027 at 9:00 a.m. in Department 16.

DATED: 8/3/2026

Hon. Benjamin T. Reyes II

HON. JUDGE OF THE SUPERIOR COURT

EXHIBIT A

4. No appearance is required at the hearing on July 15, 2026.

4. 9:00 AM CASE NUMBER: C22-02114
CASE NAME: SUZANNE FEE VS. CAMBRIDGE MANAGEMENT COMPANY
HEARING ON MOTION IN RE: PRELIMINARY APPROVAL OF CLASS ACTION
FILED BY: FEE, SUZANNE
TENTATIVE RULING:

Summary

Plaintiff Suzanne Fee (“Plaintiff”) seeks Preliminary Approval of Class Action Settlement with Defendant Cambridge Management Company (“Defendant”). The Motion is unopposed and is **granted** as set forth herein. No appearance is required at the hearing on July 15, 2026.

Background

Plaintiff requests that the Court grant preliminary approval of the Settlement and certify the Settlement Class pursuant to the terms set forth in the Settlement Agreement. The Settlement Class is defined as all current and former non-exempt employees of Defendant who worked in California at any time from October 3, 2018 through July 17, 2025. Based on Defendant's records, the Class consists of approximately 256 individuals who collectively worked 33,030 workweeks during the Class Period. Plaintiff requests that the Court confirm Suzanne Fee as the Class Representative and Otkupman Law Firm, A Law Corporation as Class Counsel.

The total Gross Settlement Amount is Two Hundred Fifty Thousand Dollars ($250,000.00). From this amount, the following deductions shall be made prior to distribution to Participating Class Members: (a) attorneys' fees of Eighty-Two Thousand Five Hundred Dollars ($82,500.00), representing one-third of the Gross Settlement Amount; (b) litigation costs not to exceed Twenty Thousand Dollars ($20,000.00); (c) a Class Representative service payment of Ten Thousand Dollars ($10,000.00) to Suzanne Fee; and (d) Settlement Administrator fees not to exceed Six Thousand Dollars ($6,000.00). The Net Settlement Amount shall be distributed to Participating Class Members on a pro-rata basis based on workweeks worked during the Class Period.

Plaintiff requests that the Court preliminarily approve a Class Representative service payment of Ten Thousand Dollars ($10,000.00) to Suzanne Fee in recognition of her efforts on behalf of the Class, including her participation in discovery and mediation. This payment shall be issued with an IRS Form 1099.

Plaintiff requests that the Court award Class Counsel attorneys' fees in the amount of Eighty-Two Thousand Five Hundred Dollars ($82,500.00) and reimbursement of litigation costs not to exceed Twenty Thousand Dollars ($20,000.00), both to be paid from the Gross Settlement Amount.

Plaintiff requests that the Court appoint ILYM Group as the Settlement Administrator and approve administration costs not to exceed Six Thousand Dollars ($6,000.00). The Settlement Administrator shall manage all aspects of claims administration, including preparation and dissemination of the Class Notice, processing requests for exclusion, calculating individual settlement payments, and distributing funds to Participating Class Members. Plaintiff requests that the Court approve the Class Notice and Exclusion Form as to form and content and direct that notice be provided to Class Members in accordance with the procedures set forth in the Settlement Agreement.

Participating Class Members shall release Defendant from all claims asserted in the operative complaint and any claims that could have been asserted based on the facts alleged therein, including claims for failure to provide meal and rest periods; failure to pay minimum wages, overtime, and double-time wages; failure to maintain accurate employment records; wage statement violations; untimely payment of wages at termination; failure to reimburse business expenses; unlawful deductions; failure to provide a safe and healthful workplace; and violations of Business and Professions Code section 17200. Class Members do not release claims for vested benefits, wrongful termination, violations of the Fair Employment and Housing Act, unemployment insurance, disability, social security, workers' compensation, or claims based on facts occurring outside the Class Period.

Individual Class Payments shall be calculated by dividing the Net Settlement Amount by the total number of workweeks worked by all Participating Class Members during the Class Period, then multiplying that result by each Participating Class Member's individual workweeks. This per-workweek allocation method ensures that recovery is proportional to each Class Member's time worked during the Class Period.

A Final Approval Hearing shall be held to determine whether the Settlement, Class Counsel's fee application, and the Class Representative service award should be finally approved as fair, reasonable, and adequate. Class Members may participate in the Settlement, submit requests for exclusion, or file objections as provided in the Class Notice. Pending final approval, Plaintiff requests that the Court enjoin Class Members from prosecuting any released claims, unless they have submitted valid requests for exclusion.

Upon review, there is good cause to find that the Settlement appears to be fair, adequate, and reasonable to the Class and falls within the range of reasonableness, subject only to objections that may be raised at the Final Approval Hearing. Good cause, therefore appearing, the Court makes the following orders and ruling.

Analysis

The primary determination is whether the proposed settlement is "fair, reasonable, and adequate" under *Dunk v. Ford Motor Co*. (1996) 48 Cal.App.4th 1794, 1801. The factors include "the strength of plaintiffs' case, the risk, expense, complexity and likely duration of further litigation, the risk of maintaining class action status through trial, the amount offered in settlement, the extent of discovery completed and the state of the proceedings, the experience and views of counsel, the presence of a governmental participant, and the reaction ... to the proposed settlement." (See also, *Amaro v. Anaheim Arena Mgmt., LLC* (2021) 69 Cal.App.5th 521.)

California law provides guidance concerning judicial approval of class action settlements. First, public policy favors settlement (*Neary v. Regents of Univ. of Cal*. (1992) 3 Cal.4th 273), but the court must not approve an agreement contrary to law or public policy (*Bechtel Corp. v. Superior Court* (1973) 33 Cal.App.3d 405, 412; *Timney v. Lin* (2003) 106 Cal.App.4th 1121, 1127). Moreover, "[t]he court cannot surrender its duty to see that the judgment to be entered is a just one, nor is the court to act as a mere puppet in the matter." (*Cal. State Auto. Assn. Inter-Ins. Bureau v. Superior Court* (1990) 50 Cal.3d 658, 664.) Consequently, courts have noted that *Neary* does not apply where public rights are implicated, because "[w]here the rights of the public are implicated, the additional safeguard of judicial review, though more cumbersome to the settlement process, serves a salutary purpose." (*Consumer Advocacy Group, Inc. v. Kintetsu Enterprises of America* (2006) 141 Cal.App.4th 48, 63.)

Attorneys' Fees

Plaintiffs seek attorneys' fees of $82,500.00 representing one-third of the total settlement amount, relying on the common fund doctrine. Even under the common fund theory, however, the fee award should be reviewed through a lodestar cross-check. In *Lafitte v. Robert Half International* (2016) 1 Cal.5th 480, 503, the Supreme Court endorsed the *Lodestar* cross-check as a method to determine whether the percentage allocated is reasonable. The Court stated: "If the multiplier calculated by means of a lodestar cross-check is extraordinarily high or low, the trial court should consider whether the percentage used should be adjusted so as to bring the imputed multiplier within a justifiable range, but the court is not necessarily required to make such an adjustment." (Id. at p. 505.) Following typical practice, however, the Court will not consider the fee award at this preliminary approval stage, but reserves review for final approval.

Similarly, litigation costs in the amount not to exceed $20,000.00 and the requested service payment of $10,000 to the class representative will be reviewed at the time of final approval. Criteria for evaluating representative payment requests are discussed in *Clark v. American Residential Services, LLC* (2009) 175 Cal.App.4th 785, 804-807.

The Settlement appears to be fair, adequate, and reasonable to the Class and falls within the range of reasonableness, subject only to objections that may be raised at the Final Approval Hearing. Good cause appearing, the Court makes the following orders and ruling.

Ruling

1. The settlement is sufficiently fair, reasonable, and adequate to justify preliminary approval. The motion is **granted**.
2. Counsel are directed to prepare an order reflecting this ruling, the other findings in the previously submitted proposed order lodged October 8, 2025, attaching a copy of this ruling.
3. Counsel are ordered to obtain a hearing date for the motion for final approval from the Department clerk. Other dates in the scheduled notice process should track as appropriate to the hearing date. The ultimate judgment must provide for a compliance hearing after the settlement has been completely implemented. Plaintiff’s counsel is to submit a compliance statement one week before the compliance hearing date, which shall include the matters necessary to comply with Code of Civil Procedure section 384, subdivision (b).
4. Notwithstanding any contrary provision in the settlement agreement, 5% of the attorneys' fees are to be withheld by the administrator until released by the Court after review of the compliance statement.
5. The Court may issue a release of attorneys' fees through an unreported minute order without a hearing upon review of the compliance statement representing full compliance with the Court's Final Order Approving Settlement.
6. No appearance is required at the hearing on July 15, 2026.