

SUPERIOR COURT OF CALIFORNIA
COUNTY OF VENTURA

Tentative Ruling

2023CUOE009502: JOSE CAMPOS vs E AND E MURRAY INCORPORATED
04/16/2026 in Department 44
Hearing on Motion for Final Approval of Settlement

Effective **January 5, 2026**, Judge Charmaine H. Buehner and all cases previously assigned to Department J4 at the Juvenile Justice Center in Oxnard transferred to Department 44, located at the Hall of Justice, 800 South Victoria Avenue, Ventura, California 93009.

Department Rules. Parties and counsel shall follow the Department 44 rules and Zoom protocols, available at <https://www2.ventura.courts.ca.gov/Courtroom/C44>.

Remote Appearances. The Court allows Zoom appearances as a courtesy to parties and counsel. The Court does not accommodate Court Call appearances. **You MUST register by 4:00 p.m. the court day before your hearing or you will be DENIED entry to the hearing:**

ZOOM Registration Link:

<https://ventura-courts-ca.zoom.us/meeting/register/iqN7uhQSQMuOqs-9TQXgEQ>

No advance notice is required to appear in person.

Tentative Rulings. Oral argument should address the tentative decision. To submit on the tentative decision, email courtroom44@ventura.courts.ca.gov before 8:00 a.m. on the hearing date, copying all other parties, Use the subject line “SUBMISSION ON TENTATIVE”, [Case Number], [Case Title] and [Party]. If not all parties submit, the hearing will proceed, and the tentative ruling may change.

The Court may adopt, modify or reject the tentative ruling after hearing. The tentative ruling has no legal effect unless and until adopted by the Court.

Motion: Plaintiff’s Motion for Final Approval of Class Action and PAGA Settlement

Tentative Ruling:

Plaintiff’s Motion for Final Approval of Class Action and PAGA Settlement is CONTINUED to June 24, 2026, at 1:30 p.m. in Department 44. Plaintiff did not give sufficient notice of the hearing. Although 16 court days’ notice was provided, Plaintiff did not account for the two additional court days’ notice required by Code of Civil Procedure section 1010.6.

Additionally, the Court has reviewed the moving papers and notes the following issues, which Plaintiff may address prior to the continued proceeding:

1. The gross settlement amount has increased from \$679,800 to \$696,921.28, an increase of \$17,121.28. The settlement agreement contains an escalator clause, which provides that the gross settlement amount is not subject to an escalator unless there is more than a 10%

increase in the number of workweeks during the class period. In such event, Defendant has two options. First, it can change the end date of the class period to avoid the escalator. Alternatively, it can pay more money in an amount based on the percentage of workweeks in excess of 10%. Here, the estimated number of workweeks was 22,660. (Yslas Decl. in Support of Preliminary Approval, Exh. 1 [SA, ¶ 8].) Once the class data was provided, the number of actual workweeks for the 579 class members was 25,570. The threshold workweeks number was 24,926. (Castro Decl., ¶¶ 5, 14.) The extra 644 workweeks (25,570-24,926) represent roughly a 2.84% increase in the gross settlement amount (644/22,660). Thus, the gross settlement amount should have increased by this percentage, which should have resulted in a \$19,306.32 increase ($\$679,800 \times .0284$), resulting in a new gross settlement amount of \$699,106.32. The increase of \$17,121.28 reflects an increase of roughly 2.52%. The Court requests a supplemental declaration from Plaintiff's counsel to address this matter.

2. No invoices were provided in support of the costs claimed. The Court requests production of all invoices. In the case of the claimed \$3,555 "Professional Fee," which appears to be for 7.90 hours of work allegedly performed by Berger Consulting, the Court requires both an invoice and a declaration from that firm to detail the credentials of each individual who performed any of the claimed work and an itemized description, by category, of the work performed, including the date on which it was performed.

Supplemental declarations shall be filed at least ten court days prior to the continued hearing on this matter.

Counsel for Plaintiff is to give notice of the Court's ruling.