

1 T. Scott Belden, State Bar No. 184387  
sbelden@beldenblaine.com  
2 Kaleb L. Judy, State Bar No. 266909  
kjudy@beldenblaine.com  
3 BELDEN BLAINE RAYTIS, LLP  
5016 California Avenue, Suite 3  
4 Bakersfield, California 93309  
P.O. Box 9129  
5 Bakersfield, California 93389  
Telephone: (661) 864-7827  
6 Facsimile: (661) 878-9797

7 Attorneys for Defendant,  
8 Truitt Oilfield Maintenance Corporation

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 FOR THE COUNTY OF KERN

11  
12 JEFF HARTZELL; CHAD TANNEHILL;  
DON LARSEN; RODNEY BLACK; AL  
13 ONTEVEROS, SR; and AL ONTEVEROS,  
JR, individually and on behalf of all others  
14 similarly situated, and on behalf of  
aggrieved employees pursuant to the  
15 Private Attorneys General Act ("PAGA");

16 Plaintiffs,

17 v.

18 TRUITT OILFIELD MAINTENANCE  
CORPORATION, a California  
19 corporation, and DOES 1 through 50,  
inclusive,

20 Defendants.

Case No. 8-1500-CV-283011-DRL  
[Proposed] Order Granting Motion to  
Modify Settlement and Judgment

Date: June 9, 2016  
Time: 8:30 A.M.  
Dept. 11  
Judge: Hon. David R. Lampe

Complaint Filed: September 16, 2014  
Trial Date: None

21  
22 The Motion of defendant TRUITT OILFIELD MAINTENANCE COMPANY for  
23 an order modifying the *Order of Final Approval of Class Action Settlement and Judgment*  
24 *Thereon* came on regularly for hearing before the Honorable David R. Lampe in  
25 Department 11 of the above-entitled court, located at 1415 Truxtun Avenue,  
26 Bakersfield, California at the date and time noted above. Appearances for defendant  
27 and for the class were noted on the record.  
28

**ENDORSED**  
**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF KERN  
**JUN - 9 2016**  
TERRY McNALLY, CLERK  
BY \_\_\_\_\_, DEPUTY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Good cause appearing, it is hereby ordered that:

1. The *Amendment to Stipulation and Agreement of Compromise and Settlement* is approved;
2. Paragraph 13 of the *Order of Final Approval of Class Action Settlement and Judgment Thereon* is deleted and is replaced with the following language:

On or before July 29, 2016, Defendant will transmit to the Settlement Administrator \$207,359.46, representing one half of the amounts due pursuant to Paragraphs 3.3 and 3.4 of the Settlement Agreement and one half of the Class Payment and any employer-side payroll taxes thereon (the "Initial Payment").

On or before July 28, 2017, Defendant will transmit to the Settlement Administrator \$202,371.68, representing one half of the amounts due pursuant to Paragraphs 3.1 and 3.2 of the Settlement Agreement (the "Second Payment").

On or before July 27, 2018, Defendant will transmit to the Settlement Administrator \$200,000.00 (the "Third Payment").

On or before July 26, 2019, Defendant will transmit to the Settlement Administrator \$213,509.86, representing the remaining amounts due pursuant to the Settlement Agreement (the "Fourth Payment").

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Within five (5) business days after receiving the Initial Payment, the Settlement Administrator will transmit to the appropriate persons one-half of the amounts payable pursuant to Paragraphs 3.3 and 3.4 of the Settlement Agreement. The remainder of the Initial Payment will be used to pay each Class Member who submitted a Valid Claim one-half of his or her Settlement Sum.

Within five (5) business days after receiving the Second Payment the Settlement Administrator will transmit the Second Payment to Class Counsel.

The Settlement Administrator will hold the Third Payment until it receives the Fourth Payment. Within five (5) business days after receiving the Fourth Payment, the Settlement Administrator will transmit any remainder of the amounts payable pursuant to Paragraphs 3.1 through 3.6 of this Settlement Agreement to the appropriate persons. The remainder of the Second Payment will be used to pay each Class Member who submitted a Valid Claim the remainder of his or her Settlement Sum.

Defendant shall have the right, but not the obligation, to make the Initial, Second, Third, or Fourth Payments early if it desires to do so.

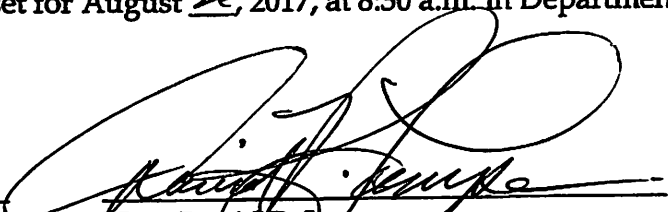
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Except as noted herein the *Order of Final Approval of Class Action Settlement and Judgment Thereon* remains in full force and effect.

This court continues to retain jurisdiction to enforce the settlement of this action.

An OSC re compliance is set for August 20, 2017, at 8:30 a.m. in Department 11.

Dated: 6.9.16



Hon. David R. Lampe  
Judge of the Superior Court

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

I am employed in the County of Kern, State of California. I am over the age of 18 and not a party to the within action; my business address is 5016 California Avenue, Suite 3, Bakersfield, California 93309.

On May 13, 2016, I served the foregoing document described as follows:  
**[Proposed] Order Granting Motion to Modify Settlement and Judgment**

- by placing true copies thereof addressed as follows:
- by placing the original addressed as follows:

DOUGLAS HAN, ESQ. JUSTICE LAW CORP. 411 N. CENTRAL AVE., SUITE 500 GLENDALE, CA 91203	Attorney for Plaintiffs
--	-------------------------

**BY OVERNIGHT MAIL SERVICE** I am readily familiar with the business practice at my place of business for collection and processing of documents and correspondence for overnight delivery by Norco Overnite. Documents and correspondence so collected and processed is deposited with this overnight courier service on the same day in the ordinary course of business. On the below date, the said envelope was collected for this overnight courier service, following ordinary business practices and deposited at this overnight courier service drop/pickup location in Bakersfield, California by 7:00 P.M.

Executed on May 13, 2016, at Bakersfield, California.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Cherri Jo Bassler

Type or Print Name

Signature 