

(JCx),CLOSED,DISCOVERY,RELATED-G

**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF
CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:08-cv-06010-DSF-JC**

Daniel Gutierrez et al v. Schmid Insulation Contractors Inc. et al
Assigned to: Judge Dale S. Fischer
Referred to: Magistrate Judge Jacqueline Chooljian
Related Case: 2:06-cv-07635-DSF-JC
Case in other court: 9th CCA, 10-56379

Superior Court State of CA County of Los
Angeles, BC360357

Cause: 28:1441 Notice of Removal – Labor/Mgmt. Relations

Plaintiff

Daniel A. Gutierrez

*as individual and on behalf of all others
similarly situated*

represented by

Catha Worthman

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P.C.

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TERMINATED: 08/26/2010
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ATTORNEY TO BE NOTICED

Plaintiff

Arturo Navarrete
as individual and on behalf of all others
similarly situated

represented by **Catha Worthman**
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Vincent Cheng
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TERMINATED: 08/26/2010
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George P Albutt
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Emiliano Reyna
as an individual and on behalf of all
others similarly situated

represented by **Catha Worthman**
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TERMINATED: 08/26/2010
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George P Albutt
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ATTORNEY TO BE NOTICED

V.

Defendant

Schmid Insulation Contractors, Inc.
a California corporation
doing business as
Paragon Schmid Building Products

represented by **Chad D Bernard**
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ATTORNEY TO BE NOTICED

Defendant

Masco Contractor Services, Inc.

Defendant

Masco Services Group Corp.
formerly known as
Doe 5

represented by **Chad D Bernard**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mia D Farber
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Defendant

Masco Contractor Services LLC
formerly known as
Doe 4

represented by **Chad D Bernard**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mia D Farber
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Builder Services Group, Inc.
formerly known as
Doe 2

represented by **Chad D Bernard**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mia D Farber
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Western Insulation, L.P.
formerly known as
Doe 1

represented by **Chad D Bernard**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mia D Farber
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DOES
6-10

Defendant

American National Services, Inc.
a California corporation
formerly known as
 Doe 3

represented by **Garry G Mathiason**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Hillary R Ross
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nancy E Pritikin
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/12/2008	<u>1</u>	NOTICE OF REMOVAL from Superior Court State of CA County of Los Angeles, case number BC360357 with Conformed copy of summons and complaint. Case assigned to Judge Percy Anderson, Discovery to Magistrate Judge Patrick J Walsh. (Filing fee \$ 350 PAID), filed by Defendants Masco Services Group Corp., Masco Contractor Services LLC, Western Insulation, L.P., Builder Services Group, Inc. [Unconformed copy of First Amended Complaint submitted attached Exhibit D to Notice of Removal](car) Modified on 9/16/2008 (car). (Additional attachment(s) added on 9/17/2008: # <u>1</u> Exhibit A, Part 1, # <u>2</u> Exhibit A, Part 1b), # <u>3</u> Exhibit A, Part 2, # <u>4</u> Exhibit A, Part 2b), # <u>5</u> Exhibit A, Part 3, # <u>6</u> Exhibits B – K, # <u>7</u> Notice of Assignment, # <u>8</u> Civil Cover Sheet) (ds) (Entered: 09/16/2008)
09/12/2008		CONFORMED COPY OF DEFENDANT SCHMID INSULATION CONTRACTORS, INC.'S ANSWER TO PLAINTIFFS' UNVERIFIED COMPLAINT FOR DAMAGES to Notice of Removal, <u>1</u> filed by Defendants Schmid Insulation Contractors, Inc. [Filed in State Court on 11/30/06 submitted attached Exhibit C](car) (Entered: 09/16/2008)
09/12/2008	<u>2</u>	CERTIFICATION of Interested Parties filed by Defendants Masco Services Group Corp., Masco Contractor Services LLC, Builder Services Group, Inc., Western Insulation, L.P. (car) (ds). (Entered: 09/16/2008)
09/12/2008		CONFORMED COPY AMENDMENT COMPLAINT <u>1</u> against Defendant Masco Services Group Corp. amending Notice of Removal <u>1</u> . Plaintiff being ignorant of the true name of the defendant and having designated the defendant in the complaint by the fictitious name of DOE 5 and having discovered the true name of the defendant to be Masco Services Group Corp., filed by plaintiffs Daniel A. Gutierrez, Arturo Navarette [FILED IN STATE COURT ON 8/08/2007 SUBMITTED ATTACHED Exhibit F TO THE NOTICE OF REMOVAL.] (car) Modified on 9/16/2008 (car). (Entered: 09/16/2008)
09/12/2008		CONFORMED COPY AMENDMENT COMPLAINT against Defendant Masco Contractor Services, LLC amending Notice of Removal <u>1</u> . Plaintiffs being ignorant of the true name of the defendant and having designated the defendant in the complaint by the fictitious name of DOE 4 and having discovered the true name of the defendant to be Masco Contractor Services, LLC filed by plaintiffs Daniel A. Gutierrez, Arturo Navarette [FILED IN STATE COURT ON 8/08/2007 SUBMITTED ATTACHED Exhibit F Page 70 TO THE NOTICE OF REMOVAL.] (car) Modified on 9/16/2008 (car). (Entered: 09/16/2008)
09/12/2008		CONFORMED COPY AMENDMENT COMPLAINT against Defendant American National Services, Inc. amending Notice of Removal 1. Plaintiffs being ignorant of the true name of the defendant and having designated the defendant in the complaint by the fictitious name of DOE 3 and having discovered the true name of the defendant to be American National Services, Inc. filed by plaintiffs Daniel A. Gutierrez, Arturo Navarette [FILED IN STATE COURT ON 8/08/2007 SUBMITTED ATTACHED Exhibit F Page 73 TO THE NOTICE OF REMOVAL] (car). (Entered: 09/16/2008)

09/12/2008		CONFORMED COPY AMENDMENT COMPLAINT against Defendant Builder Services Group, Inc. amending Notice of Removal 1. Plaintiffs being ignorant of the true name of the defendant and having designated the defendant in the complaint by the fictitious name of DOE 2 and having discovered the true name of the defendant to be Builder Services Group, Inc. filed by plaintiffs Daniel A. Gutierrez, Arturo Navarette [FILED IN STATE COURT ON 8/08/2007 SUBMITTED ATTACHED Exhibit F Page 76 TO THE NOTICE OF REMOVAL] (car) (Entered: 09/16/2008)
09/12/2008		CONFORMED COPY AMENDMENT COMPLAINT against Defendant Western Insulation, L.P. amending Notice of Removal 1. Plaintiffs being ignorant of the true name of the defendant and having designated the defendant in the complaint by the fictitious name of DOE 1 and having discovered the true name of the defendant to be Western Insulation, L.P. filed by plaintiffs Daniel A. Gutierrez, Arturo Navarette [FILED IN STATE COURT ON 8/08/2007 SUBMITTED ATTACHED Exhibit F Page 79 TO THE NOTICE OF REMOVAL](car) Modified on 9/16/2008 (car). (Entered: 09/16/2008)
09/12/2008		CONFORMED COPY OF DEFENDANT AMERICAN NATIONAL SERVICES, INC., A CALIFORNIA CORPORATION'S ANSWER TO PLAINTIFF'S UNVERIFIED COMPLAINT FOR DAMAGES to Notice of Removal, <u>1</u> filed by Defendants American National Services, Inc., Schmid Insulation Contractors, Inc. [Filed in State Court on 9/6/07 submitted attached Exhibit I to Notice of Removal](car) (Entered: 09/16/2008)
09/12/2008	<u>3</u>	NOTICE OF JOINDER OF DEFENDANT MASCO CONTRACTOR SERVICES, LLC, A DELAWARE CORPORATION in Notice of Removal, <u>1</u> filed by Masco Services Group Corp.; Masco Contractors Services LLC; Builder Services Group, Inc.; Western Insulation, L.P. (car) Modified on 9/16/2008 (car). (ds). (Entered: 09/16/2008)
09/12/2008	<u>4</u>	NOTICE OF JOINDER OF DEFENDANT WESTERN INSULATION, L.P., A CALIFORNIA LIMITED PARTNERSHIP in Notice of Removal,, <u>1</u> ,filed by Defendants Masco Services Group Corp., Masco Contractor Services LLC, Builder Services Group, Inc., Western Insulation, L.P. (car) (ds). (Entered: 09/16/2008)
09/12/2008	<u>5</u>	NOTICE OF JOINDER OF DEFENDANT AMERICAN NATIONAL SERVICES, INC. A CALIFORNIA CORPORATION in Notice of Removal, <u>1</u> ,filed by Defendants American National Services, Inc., Schmid Insulation Contractors, Inc. (car) (ds). (Entered: 09/16/2008)
09/12/2008	<u>6</u>	NOTICE OF JOINDER OF DEFENDANT SCHMID INSULATION CONTRACTORS, INC. in Notice of Removal, <u>1</u> ,filed by Defendants American National Services, Schmid Insulation Contractors, Inc. (car) (ds). (Entered: 09/16/2008)
09/12/2008	<u>7</u>	NOTICE OF JOINDER OF DEFENDANT BUILDER SERVICES GROUP, INC. A FLORIDA CORPORATION in Notice of Removal, <u>1</u> ,filed by Defendants Masco Services Group Corp., Masco Contractor Services LLC, Builder Services Group, Inc., Western Insulation, L.P. (car) (ds). (Entered: 09/16/2008)
09/12/2008	<u>8</u>	DECLARATION OF RAUL BOBADILLA IN SUPPORT OF DEFENDANT MASCO SERVICES GROUP CORP.'S e Notice of Removal,, <u>1</u> filed by Defendants Masco Services Group Corp., Masco Contractor Services LLC, Builder Services Group, Inc., Western Insulation, L.P. (car) (ds). (Entered: 09/16/2008)
09/12/2008	<u>9</u>	DECLARATION OF OSCAR SANDOVAL IN SUPPORT OF DEFENDANT MASCO SERVICES GROUP CORP.'S Notice of Removal, <u>1</u> filed by Defendants American National Services, Inc., Schmid Insulation Contractors, Inc. (car) (ds). (Entered: 09/16/2008)
09/12/2008	<u>10</u>	DECLARATION of SHARON A. WERNER re Notice of Removal, <u>1</u> filed by Defendants Masco Services Group Corp., Masco Contractor Services LLC, Builder Services Group, Inc., Western Insulation, L.P. (car) (ds). (Entered: 09/16/2008)
09/12/2008	<u>11</u>	DECLARATION of CHAD D. BERNARD ("BERNARD DECL. II") IN SUPPORT OF Notice of Removal, <u>1</u> filed by Defendants Masco Services Group Corp., Builder Services Group, Inc., Western Insulation, L.P., Masco Contractor Services, Inc. (car) (ds). (Entered: 09/16/2008)

09/12/2008	<u>12</u>	DECLARATION OF STEVEN HEIM IN SUPPORT OF DEFENDANT MASCO SERVICES GROUP CORP.'S Notice of Removal, <u>1</u> filed by Defendants Masco Services Group Corp., Masco Contractor Services LLC, Builder Services Group, Inc., Western Insulation, L.P. (car) (ds). (Entered: 09/16/2008)
09/12/2008	<u>13</u>	PROOF OF SERVICE filed by Defendants Masco Services Group Corp., Masco Contractor Services LLC, Builder Services Group, Inc., Western Insulation, L.P., re Certificate and Notice of Interested Parties <u>2</u> , Declaration of Raul Bobadilla <u>8</u> , Declaration of Chad D. Bernard <u>11</u> , Joinder in Complaint, <u>3</u> , Joinder in Complaint <u>5</u> , Declaration of Sharon A. Werner <u>10</u> , Declaration of Oscar Sandoval <u>9</u> , Joinder in Complaint, <u>4</u> , Notice of Removal, <u>1</u> , Joinder in Complaint <u>7</u> , Joinder in Complaint <u>6</u> , Declaration of Steven Heim <u>12</u> served on 9/12/08. (car) (ds). (Entered: 09/16/2008)
09/12/2008	<u>14</u>	NOTICE of Related Case(s) filed by Defendants Masco Services Group Corp., Builder Services Group, Inc., Western Insulation, L.P., Masco Contractor Services, Inc.. Related Case(s): CV06-7635 DSF (JCx) CV07-5852 GW (PLAx) (at) (Entered: 09/18/2008)
09/19/2008	<u>15</u>	STANDING ORDER FOR CASES ASSIGNED to Judge Dale S. Fischer. Read This Order Carefully. It Controls This Case and Differs In Some Respects From the Local Rules (See Order for Further Details). (sch) (Entered: 09/22/2008)
09/19/2008	<u>16</u>	ORDER SETTING SCHEDULING CONFERENCE by Judge Dale S. Fischer. Read This Order Carefully. It Differs In Some Respects From the Local Rules. Scheduling Conference set for 11/3/2008 at 11:00 AM before Judge Dale S. Fischer. (sch) (Entered: 09/22/2008)
09/22/2008	<u>17</u>	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 08-05 -Related Case- filed. Related Case No: CV06-7635 DSF (JCx). Case transfered from Judge Percy Anderson and Magistrate Judge Patrick J. Walsh to Judge Dale S. Fischer and Magistrate Judge Jacqueline Chooljian for all further proceedings. The case number will now reflect the initials of the transferee Judge CV08-6010 DSF (JCx).Signed by Judge Dale S. Fischer (at) (Entered: 09/22/2008)
10/06/2008	<u>18</u>	NOTICE of Change of Attorney Information for attorney Julia Campins counsel for Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. Adding Julia Campins as attorney as counsel of record for Daniel Gutierrez, et al. for the reason indicated in the G-06 Notice. Filed by Plaintiff Daniel Gutierrez, et al. (Campins, Julia) (Entered: 10/06/2008)
10/06/2008	<u>19</u>	NOTICE of Change of Attorney Information for attorney Catha Worthman counsel for Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. Adding Catha Worthman as attorney as counsel of record for Daniel Gutierrez, et al. for the reason indicated in the G-06 Notice. Filed by Plaintiffs Daniel Gutierrez, et al. (Worthman, Catha) (Entered: 10/06/2008)
10/06/2008	<u>20</u>	NOTICE of Change of Attorney Information for attorney Vincent Cheng counsel for Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. Adding Vincent Cheng as attorney as counsel of record for Daniel Gutierrez, et al. for the reason indicated in the G-06 Notice. Filed by Plaintiffs Daniel Gutierrez, et al. (Cheng, Vincent) (Entered: 10/06/2008)
10/06/2008	<u>21</u>	NOTICE of Change of Attorney Information for attorney Todd F Jackson counsel for Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. Adding Todd Jackson as attorney as counsel of record for Daniel Gutierrez, et al. for the reason indicated in the G-06 Notice. Filed by Plaintiffs Daniel Gutierrez, et al. (Jackson, Todd) (Entered: 10/06/2008)
10/17/2008	<u>22</u>	REQUEST for Order for Preliminarily Approving Class Action Settlement and Class Certification filed by Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. Request set for hearing on 11/17/2008 at 01:30 PM before Judge Dale S. Fischer. (Worthman, Catha) (Entered: 10/18/2008)
10/18/2008	<u>23</u>	REQUEST for Order for Preliminarily Approving Class Action Settlement and Class Certification filed by Plaintiffs' Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. Request set for hearing on 11/17/2008 at 01:30 PM before Judge Dale S. Fischer. (Attachments: # <u>1</u> Declaration of Todd F. Jackson in Support of Plaintiffs' NOTICE OF MOTION, MOTION AND MEMORANDUM OF POINTS AND

		AUTHORITIES FOR ORDER: (1) PRELIMINARILY APPROVING SETTLEMENT; (2) PRELIMINARILY CERTIFYING THE CLASS; (3) CERTIFYING CLASS REPRESENTATIVES; (4) APPOINTING, # <u>2</u> Declaration DECLARATION OF DONN TAKETA IN IN SUPPORT OF PLAINTIFFS NOTICE OF MOTION, MOTION AND MEMORANDUM OF POINTS AND AUTHORITIES FOR ORDER: (1) PRELIMINARILY APPROVING SETTLEMENT; (2) PRELIMINARILY CERTIFYING THE CLASS; (3) CERTIFYING CLASS REPRESENTATIVES; (4), # <u>3</u> Declaration Declaration of C. Valenzuela in Support of Request for Order Preliminarily Approving Class Settlement, # <u>4</u> Exhibit Exhibit A – SETTLEMENT AND RELEASE BETWEEN PLAINTIFFS DANIEL A. GUTIERREZ, ARTURO NAVARRETE, AND EMILIANO REYNA AND DEFENDANTS SCHMID INSULATION CONTRACTORS, INC., AMERICAN NATIONAL SERVICES, INC., WESTERN INSULATION, L.P., BUILDER SERVICES GROUP, INC., M)(Worthman, Catha) (Entered: 10/18/2008)
10/22/2008	<u>24</u>	NOTICE of Change of Attorney Information for attorney Gladys Limon counsel for Plaintiff Daniel A. Gutierrez. Adding Gladys Limon as attorney as counsel of record for Plaintiffs for the reason indicated in the G-06 Notice. Filed by plaintiff Gladys Limon (Limon, Gladys) (Entered: 10/22/2008)
10/22/2008	<u>25</u>	NOTICE of Change of Attorney Information for attorney Nancy A Ramirez counsel for Plaintiff Daniel A. Gutierrez. Adding Nancy Ramirez as attorney as counsel of record for Plaintiffs for the reason indicated in the G-06 Notice. Filed by Plaintiff Nancy Ramirez (Ramirez, Nancy) (Entered: 10/22/2008)
10/22/2008	<u>26</u>	NOTICE of Change of Attorney Information for attorney Cynthia Ann Valenzuela counsel for Plaintiff Daniel A. Gutierrez. Adding Cynthia Valenzuela as attorney as counsel of record for Plaintiff for the reason indicated in the G-06 Notice. Filed by Plaintiff Cynthia Valenzuela (Valenzuela, Cynthia) (Entered: 10/22/2008)
10/27/2008	<u>27</u>	NOTICE OF LODGING filed of <i>Proposed Order and Amended Exhibit A (Fully Executed Joint Stipulation of Settlement and Release, and Proposed Notice)</i> re REQUEST for Order for Preliminarily Approving Class Action Settlement and Class Certification <u>23</u> (Attachments: # <u>1</u> Proposed Order Granting Preliminary Approval for Class Action Settlement and Class Certification, # <u>2</u> Exhibit Joint Stipulation of Settlement and Release (Amended to Include All Signatures))(Worthman, Catha) (Entered: 10/27/2008)
10/30/2008	<u>28</u>	Joint STIPULATION to Continue Scheduling Conference from November 3, 2008 to November 17, 2008 filed by Defendants Schmid Insulation Contractors, Inc.. (Attachments: # <u>1</u> Proposed Order [Proposed] Order for Joint Stipulation regarding Continuation of Scheduling Conference Currently set for November 3, 2008 to November 17, 2008)(Bernard, Chad) (Entered: 10/30/2008)
10/31/2008	<u>29</u>	ORDER FOR JOINT STIPULATION REGARDING CONTINUATION OF SCHEDULING CONFERENCE CURRENTLY SET FOR NOVEMBER 3, 2008, TO NOVEMBER 17, 2008 by Judge Dale S. Fischer: The scheduling conference currently calendared for November 3, 2008 is continued to November 17, 2008 at 1:30 p.m. (yl) (Entered: 10/31/2008)
11/17/2008	<u>30</u>	ORDER by Judge Dale S. Fischer GRANTING MOTION for Preliminary Approval of Class Action Settlement and Class Certification <u>22</u> , <u>23</u> . Named plaintiffs Daniel Gutierrez, Arturo Navarrete, and Emiliano Reyna are appointed as Class Representatives for the Class defined above. Lewis, Feinberg, Lee, Renaker & Jackson, P.C., Sullivan Taketa LLP, and MALDEF are appointed as class counsel (Fed. R. Civ. Pro. 23(g)) to represent the class defined above. The Court hereby preliminarily approves a service payment in the amount of \$10,000 each to Class Representatives Daniel Gutierrez, Arturo Navarrete, and Emiliano Reyna. The Court hereby preliminarily approves costs of administration payable to the Claims Administrator, estimated to be approximately \$ 90,000.00. On or before January 15, 2009, Plaintiff shall file a Motion for Judgment and Final Approval of Settlement and Dismissal of Action With Prejudice. Settlement Hearing shall be held on 2/23/2009 at 10:00 AM before Judge Dale S. Fischer. On or before January 15, 2009, Class Counsel shall file with the Court and serve on all parties their motion for attorneys fees, costs, and expenses, and all papers in support thereof. (See document for further details). (mg) (Entered: 11/18/2008)

12/01/2008	<u>31</u>	STIPULATION to Continue Mailing of Class Notice from Dec. 1, 2008 to Dec. 12, 2008 filed by plaintiff Daniel A. Gutierrez. (Attachments: # <u>1</u> Proposed Order re Settlement Admin Schedule and Class Notice)(Taketa, Donn) (Entered: 12/01/2008)
12/02/2008	<u>32</u>	ORDER APPROVING REVISIONS to Settlement Administration Schedule and Class Notice by Judge Dale S. Fischer. The Court amends its previous order of November 17, 2008, providing for Preliminary Approval of Class Action Settlement and Class Certification (Doc. 30, Preliminary Approval Order), only to modify certain dates in that Order and approve a revised class notice, as set forth below. (See document for further details). Re Stipulation to Continue <u>31</u> (mg) (Entered: 12/02/2008)
12/17/2008	<u>33</u>	STIPULATION to Continue Mailing of Class Notice from Dec. 12, 2008 to Dec. 24, 2008 filed by plaintiff Daniel A. Gutierrez. (Attachments: # <u>1</u> Proposed Order re Settlement Admin Schedule and Class Notice)(Taketa, Donn) (Entered: 12/17/2008)
12/18/2008	<u>34</u>	TRANSCRIPT for proceedings held on 11/17/08; 11:33 a.m.. Court Reporter/Electronic Court Recorder: Pamela A. Seijas, phone number www.pamelaseijas.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Electronic Court Recorder before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 1/8/2009. Redacted Transcript Deadline set for 1/18/2009. Release of Transcript Restriction set for 3/18/2009. (Seijas, Pamela) (Entered: 12/18/2008)
12/18/2008	<u>35</u>	NOTICE OF FILING TRANSCRIPT filed for proceedings 11/17/08; 11:33 a.m. (Seijas, Pamela) (Entered: 12/18/2008)
12/19/2008	<u>36</u>	ORDER APPROVING REVISIONS TO SETTLEMENT ADMINISTRATION SCHEDULE AND CLASS NOTICE by Judge Dale S. Fischer ¹ . The Court amends its previous order of December 2, 2008, Approving Revisions to Settlement Administration Schedule and Class Notice (Doc. 32, Revised Order), only to modify certain dates in that Order and approve a revised class notice, as set forth below. 2. By no later than December 24, 2008 (rather than December 12, 2008), the Claims Administrator shall cause to be mailed by first class mail the Revised Notice of Proposed Class Action Settlement and Settlement Hearing (the Revised Notice), attached as Exhibit 1 to the Joint Stipulation to Revise the Settlement Administration Schedule and the Class Notice, to the current or last known address of each Class Member. 3. No Class Member shall be heard in opposition to the proposed Settlement, or, if approved, the judgments and other orders to be entered thereon, to the requested award of attorneys fees, costs, and expenses, or to the requested payment to the Named Plaintiff, and no papers or briefs submitted by any such person shall be accepted or considered by the Court unless, on or before February 9, 2009 (rather than January 26, 2009), such person has filed with the Clerk of the Court and served upon counsel for all parties a written statement that indicates the specific basis for such persons objections, along with any supporting documentation. 4. The date for Class Members to provide challenges to their dates of employment as provided by the Claims Administrator shall be January 26, 2009 (rather than January 15, 2009). 5. On or before February 9, 2009, Plaintiff shall file a Motion for Judgment and Final Approval of Settlement and Dismissal of Action with Prejudice. 6. On or before February 9, 2009, Class Counsel shall file with the Court and serve on all parties their motion for attorneys fees, costs, and expenses, and all papers in support thereof. (See order for further details) (shb) (Entered: 12/22/2008)
02/09/2009	<u>37</u>	NOTICE OF MOTION AND MOTION for Order for Final Approval of Class Action Settlement filed by Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. Motion set for hearing on 3/9/2009 at 10:00 AM before Judge Dale S. Fischer. (Attachments: # <u>1</u> Proposed Order Finally Approving Class Action Settlement, # <u>2</u> Declaration of Mark Patton re: Settlement Administration)(Worthman, Catha) (Entered: 02/09/2009)
02/09/2009	<u>38</u>	NOTICE OF MOTION AND MOTION for Order for APPROVAL OF ATTORNEYS FEES AND REIMBURSEMENT OF COSTS AND EXPENSES filed by Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. Motion set for hearing on 3/9/2009 at 10:00 AM before Judge Dale S. Fischer. (Attachments: # <u>1</u> Proposed Order Approving Attorneys Fees and Costs, # <u>2</u> Declaration of Todd F. Jackson in Support of Notice of Plaintiffs' Motion and Motion, # <u>3</u> Declaration of Donn S. Taketa in Support of Plaintiff's Notice of Motion and Motion, # <u>4</u> Declaration of Nancy Ramirez in

		Support of Plaintiffs' Notice of Motion and Motion, # <u>5</u> Exhibit 1 (Summary of Attorney Billing Records), # <u>6</u> Exhibit 2 (Detailed Billing Records), # <u>7</u> Exhibit J3 (Costs)(Worthman, Catha) (Entered: 02/09/2009)
02/09/2009	<u>39</u>	NOTICE of Manual Filing filed by Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete of Exhibit J2 to Declaration of Todd F. Jackson. (Worthman, Catha) (Entered: 02/09/2009)
02/09/2009	<u>40</u>	EX PARTE APPLICATION to Seal <u>38</u> <i>Exhibit J2 attached to Declaration of Todd F. Jackson In Support of Notice of Motion and Motion for Order Granting Final Approval of Class Action Settlement and in Support of Motion for Award of Attorneys' Fees and Reimbursement of Costs</i> filed by Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. (Attachments: # <u>1</u> Proposed Order Granting Ex Parte Application to File Under Seal, # <u>2</u> Declaration of Todd F. Jackson in Support of Ex Parte Application to File Under Seal)(Worthman, Catha) (Entered: 02/09/2009)
02/10/2009	<u>41</u>	NOTICE OF ERRATA filed by Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. correcting EX PARTE APPLICATION to Seal <u>38</u> <i>Exhibit J2 attached to Declaration of Todd F. Jackson In Support of Notice of Motion and Motion for Order Granting Final Approval of Class Action Settlement and in Support of Motion for Award of Attorneys' Fee</i> EX PARTE APPLICATION to Seal <u>38</u> <i>Exhibit J2 attached to Declaration of Todd F. Jackson In Support of Notice of Motion and Motion for Order Granting Final Approval of Class Action Settlement and in Support of Motion for Award of Attorneys' Fee</i> EX PARTE APPLICATION to Seal <u>38</u> <i>Exhibit J2 attached to Declaration of Todd F. Jackson In Support of Notice of Motion and Motion for Order Granting Final Approval of Class Action Settlement and in Support of Motion for Award of Attorneys' Fee</i> <u>40</u> (Worthman, Catha) (Entered: 02/10/2009)
02/10/2009	<u>42</u>	EX PARTE APPLICATION TO FILE UNDER SEAL DETAILED TIME RECORDS AND PROVIDE FOR IN CAMERA REVIEW filed by plaintiff's Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. Lodged order.(sce) (Entered: 02/12/2009)
02/10/2009	<u>43</u>	DECLARATION of Todd F. Jackson In Support of Plaintiff's Ex Parte Application to Seal filed by Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. (sce) (Entered: 02/12/2009)
02/12/2009	<u>44</u>	ORDER GRANTING EX PARTE APPLICATION TO FILE CERTAIN EXHIBITS UNDER SEAL signed by Judge Dale S. Fischer. (sce) (Entered: 02/17/2009)
02/12/2009	<u>45</u>	SEALED DOCUMENT– Exhibit J2 to Declaration of Tod F. Jackson in Support of Plaintiff's Notice of Motion and Motion for Order Granting Final Approval of Class Action Settlement and in Support of Motion for Award of Attorneys' Fees and Reimbursement of Costs. (Attachments: Part 2, Part 3, Part 4, Part 5)(mat) (Entered: 02/17/2009)
02/20/2009	<u>47</u>	JOINT STIPULATION to Revise the Settlement Administration Schedule and the Class Notice; filed by Defendants Masco Services Group Corp., Masco Contractor Services LLC, Builder Services Group, Inc., American National Services, Inc., Schmid Insulation Contractors, Inc. Lodged proposed order. (mg) (Entered: 02/25/2009)
02/23/2009	<u>46</u>	NOTICE of Manual Filing filed by Defendant Masco Contractor Services LLC of Joint Stipulation and Proposed Order (due to ECF system down on 2 20 09). (Bernard, Chad) (Entered: 02/23/2009)
02/27/2009	<u>48</u>	ORDER APPROVING REVISIONS to Settlement Administrations Schedule and Class Notice by Judge Dale S. Fischer. Having considered the Parties' Joint Stipulation to Revise the Settlement Administration Schedule and the Class Notice <u>47</u> , and for good cause showing, this Court hereby Orders: The Court amends its previous order of December 19, 2008, Approving Revisions to Settlement Administration Schedule and Class Notice (Doc. 36), only to modify certain dates in that Order for 165 Class Members who were not previously provided Class Notice and approve a revised class notice to be sent to those 165 Class Members by overnight mail (see document for further details). (mg) (Entered: 02/27/2009)
03/02/2009	<u>50</u>	NOTICE OF ERRATA filed by Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. correcting Reply (Motion related), Reply (Motion related) 49 and Motion to Withdraw Doc. 49–1 from ECF, and Replace with Attached Document

		(Attachments: # <u>1</u> Declaration of Mark Patton re: Settlement Administration)(Worthman, Catha) (Entered: 03/02/2009)
03/03/2009	<u>51</u>	APPLICATION to Seal <i>Document 49-2</i> filed by Plaintiffs' Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. Application set for hearing on 3/9/2009 at 10:00 AM before Judge Dale S. Fischer. (Attachments: # <u>1</u> Proposed Order Granting Plaintiffs' Application to Seal)(Worthman, Catha) (Entered: 03/03/2009)
03/03/2009	<u>52</u>	REPLY in support of MOTION for Order for Final Approval of Class Action Settlement <u>37</u> filed by Plaintiffs Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete. (Attachments: # <u>1</u> Declaration of Mark Patton re: Settlement Administration)(Worthman, Catha) (Entered: 03/03/2009)
03/06/2009	<u>53</u>	ORDER by Judge Dale S. Fischer, GRANTING APPLICATION to Seal <i>Document 49-2</i> <u>51</u> . For good cause shown, the Court hereby orders sealed the Second Declaration of Mark Patton re: Settlement Administration, Doc. 49-2. The document shall be withdrawn from all public access, including the electronic docket. (shb) (Entered: 03/09/2009)
03/09/2009	<u>54</u>	ORDER by Judge Dale S. Fischer, GRANTING MOTION for Order for Final Approval of Class Action Settlement <u>37</u> . IT IS HEREBY ORDERED as follows: Class Counsel are awarded attorneys fees and costs and expenses in the amount of 25 percent of the common fund, or \$2,125,000, and up to \$140,000 in costs and expenses incurred. (shb) (Entered: 03/09/2009)
03/09/2009	<u>55</u>	ORDER FINALLY APPROVING CLASS ACTION SETTLEMENT AND PLAN OF DISTRIBUTION; ENTERING FINAL JUDGMENT AND APPROVING SERVICE PAYMENT TO NAMED PLAINTIFFS; APPROVING THE PAYMENT OF REASONABLE COSTS TO THE CLAIMS ADMINISTRATOR AND RESERVING JURISDICTION by Judge Dale S. Fischer: (See order for details), (Made JS-6. Case Terminated.) (shb) (Entered: 03/09/2009)
03/09/2009	<u>56</u>	MINUTES OF Hearing Re Final Approval of Class Action Settlement And Certification of Class held before Judge Dale S. Fischer. The case is called and counsel state their appearances. The Court will sign the proposed order granting final approval of the class action settlement and certification, as well as the order for attorneys fees and costs. Court Reporter: Pamela Seijas. (sch) (Entered: 03/10/2009)
06/28/2010	<u>57</u>	REQUEST for Order for Costs of Settlement Administration filed by plaintiff Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. (Galbraith-Albutt, George) (Entered: 06/28/2010)
06/28/2010	<u>58</u>	DECLARATION of Mark Patton in support of REQUEST for Order for Costs of Settlement Administration <u>57</u> filed by Plaintiffs Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. (Galbraith-Albutt, George) (Entered: 06/28/2010)
06/28/2010	<u>59</u>	NOTICE OF LODGING filed of <i>Proposed Order</i> re REQUEST for Order for Costs of Settlement Administration <u>57</u> (Attachments: # <u>1</u> Proposed Order On Claims Administrator's Request re Costs of Settlement Administration)(Galbraith-Albutt, George) (Entered: 06/28/2010)
06/28/2010	<u>60</u>	NOTICE OF NON-OPPOSITION to REQUEST for Order for Costs of Settlement Administration <u>57</u> filed by Plaintiffs Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. (Galbraith-Albutt, George) (Entered: 06/28/2010)
07/02/2010	<u>61</u>	(IN CHAMBERS) MEMORANDUM by Judge Dale S. Fischer: denying Without Prejudice <u>57</u> Request for Award of Costs in Excess of Previously Approved Amount. The claims administrator may submit additional evidence that addresses these concerns by July 27, 2010. In addition to addressing these concerns, the submission should describe more specifically the areas where the cost overruns occurred, and why these overruns were reasonable. Failure to file a further submission by this date will result in a denial with prejudice. (shb) (Entered: 07/02/2010)
07/27/2010	<u>62</u>	SETTLEMENT ADMINISTRATORS RESPONSE REGARDING ITS REQUEST FOR ADDITIONAL FEES AND COSTS AND DECLARATION IN SUPPORT re REQUEST for Order for Costs of Settlement Administration <u>57</u> filed by Plaintiffs Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. (Attachments: # <u>1</u> Proposed Order)(Galbraith-Albutt, George) (Entered: 07/27/2010)

07/27/2010	<u>63</u>	DECLARATION of Mark Patton in support of REQUEST for Order for Costs of Settlement Administration <u>57</u> filed by Plaintiffs Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. (Galbraith-Albutt, George) (Entered: 07/27/2010)
07/27/2010	<u>64</u>	DECLARATION of Todd Jackson in support of REQUEST for Order for Costs of Settlement Administration <u>57</u> filed by Plaintiffs Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. (Galbraith-Albutt, George) (Entered: 07/27/2010)
07/29/2010	<u>65</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Declaration (Motion related) <u>63</u> , Motion Related Document, <u>62</u> , Declaration (Motion related) <u>64</u> . The following error(s) was found: Title page is missing. Other error(s) with document(s): Title page is missing; no attorney information in upper left corner of documents. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (shb) (Entered: 07/29/2010)
08/02/2010	<u>66</u>	MINUTES OF IN CHAMBERS MEMORANDUM by Judge Dale S. Fischer: The Court denies SSIs request for reimbursement of costs above\$90,000 with prejudice. (shb) (Entered: 08/02/2010)
08/26/2010	<u>67</u>	NOTICE of Change of Attorney Information for attorney Todd F Jackson counsel for Plaintiffs Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. Changing ADDRESS to 476 – 9th Street, Oakland, CA 94607. Filed by PLAINTIFF Todd Jackson (Jackson, Todd) (Entered: 08/26/2010)
08/26/2010	<u>68</u>	NOTICE of Change of Attorney Information for attorney Todd F Jackson counsel for Plaintiffs Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. Vincent Cheng is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G-06 Notice. Filed by PLAINTIFF Todd Jackson (Jackson, Todd) (Entered: 08/26/2010)
08/26/2010	<u>69</u>	NOTICE of Change of Attorney Information for attorney Catha Worthman counsel for Plaintiffs Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. Changing address to 476 9th Street, Oakland, CA 94607. Filed by Plaintiffs Catha Worthman (Worthman, Catha) (Entered: 08/26/2010)
08/27/2010	<u>70</u>	NOTICE of Change of address by Julia Campins attorney for Plaintiffs Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. Changing attorneys address to 476 – 9th Street, Oakland, CA 94607. Filed by Plaintiffs Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. (Campins, Julia) (Entered: 08/27/2010)
09/01/2010	<u>71</u>	NOTICE OF APPEAL to the 9th CCA filed by Plaintiff Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. Appeal of Minutes of In Chambers Order/Directive – no proceeding held <u>66</u> , Order on Request for Order,, <u>61</u> (Appeal fee FEE NOT PAID.) (Attachments: # <u>1</u> Court Memo Denying Request for Costs, # <u>2</u> Order Denying Administration Costs, # <u>3</u> Service List)(Campins, Julia) (Entered: 09/01/2010)
09/01/2010	<u>73</u>	APPEAL FEE PAID: re Notice of Appeal to 9th Circuit Court of Appeals, <u>71</u> as to Plaintiffs Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna; Receipt Number: 145575 in the amount of \$455. (cbr) (Entered: 09/03/2010)
09/02/2010	<u>72</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 10–56379, 9th CCA regarding Notice of Appeal to 9th Circuit Court of Appeals, <u>71</u> as to Plaintiff Daniel A. Gutierrez, Arturo Navarrete, Emiliano Reyna. (cbr) (Entered: 09/02/2010)
10/08/2010	<u>74</u>	TRANSCRIPT for proceedings held on 03/09/09; 10:06 a.m.. Court Reporter/Electronic Court Recorder: Pamela A. Batalo, phone number www.pamelabatalo.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Electronic Court Recorder before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 10/29/2010. Redacted Transcript Deadline set for 11/8/2010. Release of Transcript Restriction set for 1/6/2011. (Seijas, Pamela) (Entered: 10/08/2010)
10/08/2010	<u>75</u>	NOTICE OF FILING TRANSCRIPT filed for proceedings 3/9/09; 10:06 a.m. (Seijas, Pamela) (Entered: 10/08/2010)

03/02/2012	<u>76</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>71</u> filed by Daniel A. Gutierrez, Emiliano Reyna, Arturo Navarrete, CCA # 10-56379. Order received in this district on 3/2/12. This appeal is dismissed without prejudice to reinstatement should the district court not approve the parties' pending settlement. This order served on the district court shall act as and for the mandate of this court. (cbr) (Entered: 03/06/2012)
03/02/2012		Notice of Electronic Filing re USCA Order, <u>76</u> e-mailed to hillary.ross@dgsllaw.ocm bounced due to unknown error address. The primary e-mail address associated with the attorney record has been deleted. Pursuant to the General Order and Local Rules it is the attorneys obligation to maintain all personal contact information including e-mail address in the CM/ECF system. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(tyw) TEXT ONLY ENTRY (Entered: 03/06/2012)
04/05/2012	<u>77</u>	STIPULATION for Settlement filed by Defendants Builder Services Group, Inc., Masco Contractor Services LLC, Masco Services Group Corp., Western Insulation, L.P.. (Attachments: # <u>1</u> Proposed Order regarding settlement)(Farber, Mia) (Entered: 04/05/2012)
04/09/2012	<u>78</u>	ORDER REGARDING SETTLEMENT by Judge Dale S. Fischer, re Stipulation for Settlement <u>77</u> . (vdr) (Entered: 04/09/2012)
06/13/2012	<u>79</u>	DECLARATION of Mark Patton re Order <u>78</u> <i>Re: Final Distribution Report</i> filed by Defendants Builder Services Group, Inc., Masco Contractor Services LLC, Masco Services Group Corp., Western Insulation, L.P.. (Farber, Mia) (Entered: 06/13/2012)