

4
DEC 29 2016

Sherri R. Carter, Executive Officer/Clerk
By Kelly Jameson, Deputy

1 Gary A. Dordick, Esq. SBN 128008
2 GARY A. DORDICK, A LAW CORPORATION
3 509 South Beverly Drive
4 Beverly Hills, California 90212-4514

4 **In Association With:**
5 Cara Eisenberg, Esq. SBN 128208
6 The EISENBERG LAW FIRM
7 509 South Beverly Drive
8 Beverly Hills, California 90212
9 Tel: (310) 201-0211
10 Fax: (310) 551-1644
11 cle@EisenbergLawFirm.com

12 Attorneys in association for Plaintiffs

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF LOS ANGELES**

RECEIVED
Central Civil West

DEC 19 2016

By: I. Arellanes

14 GABRIEL CASILLAS, an individual on
15 behalf of himself and others similarly
16 situated,

16 Plaintiff,

17 vs.

18 ALL UNITED TRANSPORT, INC., a
19 California corporation, and DOES 1
20 through 50, inclusive,

20 Defendants.

) CASE NO. BC561976
)
) (Case Assigned for All Purposes to Judge
) Elihu M. Berle)
)
) **(PROPOSED) ORDER GRANTING**
) **PLAINTIFF'S MOTION FOR CLASS**
) **CERTIFICATION**

) **DATE: 6/28/2016**
) **TIME: 2:30 PM**
) **DEPT: 323**
)

1 Plaintiff Gabriel Casillas' Motion for Class Certification came before the Honorable
2 Elihu M. Berle on the date and time set forth above. The Court, having considered the parties'
3 briefing, supporting evidence, and oral argument by the parties, finds as follows:

4 IT IS HEREBY ORDERED that :

5 1. The following Class is certified for purposes of litigation and trial:

6 All California individuals who, at any time beginning
7 four (4) years prior to the filing of the Complaint
8 through the date notice is mailed to the Class (the
9 "Class period"), drove a truck as an "independent
10 contractor" for Defendant.

11 2. Plaintiff Gabriel Casillas is designated and appointed as representative for the
12 Class.

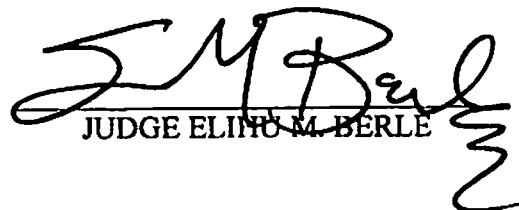
13 3. The law firms, Gary A. Dordick, APC and The EISENBERG LAW Firm, are
14 appointed counsel for the Class.

15 4. The Court directs that counsel for both parties work together to create a written
16 notice of the Class Action that will be sent to the Class members. If the parties
17 are unable to agree on the form of notice, then the Parties shall present their
18 proposed forms for the Court's approval.

19 5. The Court has considered Defendant's Objections to Plaintiff's declarations and
20 the Court overrules those objections.

21 IT IS SO ORDERED.

22 Dated this ^m29 day of Dec, 2016

23
24 
25 JUDGE ELIHU M. BERLE
26
27
28

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA)
3 COUNTY OF LOS ANGELES) ss.
4

5 I am employed in the County of Los Angeles, State of California. I am over the
6 age of 18 and not a party to the within action; my business address is: 509 SOUTH
7 BEVERLY DRIVE, BEVERLY HILLS, CALIFORNIA 90212.

8 On December 19, 2016, I served the foregoing documents described as
9 [PROPOSE] ORDER GRANTING PLAINTIFF'S MOTION FOR CLASS
10 CERTIFICATION on all parties in this action by placing a true copy thereof enclosed in
11 sealed envelopes addressed as follows.

12 **[SEE ATTACHED SERVICE LIST]**

13 () **BY UNITED STATES MAIL.** I enclosed the documents in a sealed
14 envelope or package addressed to the persons at the addresses listed
15 below and

16 () deposited the sealed envelope with the United States Postal
17 Service with postage fully prepaid.

18 () placed the envelope for collection and mailing, following our
19 ordinary business practices. I am readily familiar with this
20 business's practice for collecting and processing correspondence
21 for mailing. On the same day that correspondence is placed for
22 collection and mailing, it is deposited in the ordinary course of
23 business with the United States Postal Service, in a sealed
24 envelope with postage fully prepaid.

25 I am employed in the county where the mailing occurred. The envelope or
26 package was placed in the mail at Beverly Hills, California.

27 () **BY OVERNIGHT DELIVERY.** I enclosed the documents in an
28 envelope or package provided by an overnight delivery carrier and
addressed to the persons listed in the attached service list. I placed the
envelope or package for collection and overnight delivery at an office or a
regularly utilized drop box of the overnight delivery carrier.

() **BY MESSENGER SERVICE.** I placed the documents in an envelope
or package addressed to the persons at the addresses listed in the
attached service list and providing them to a messenger service for
service

() **BY PERSONAL SERVICE.** I caused such documents to be
delivered personally delivered to the persons addresses listed below.

() For a party represented by an attorney, delivery was made to the
attorney or at the attorney's office by leaving the documents, in an

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

1 envelope or package clearly labeled to identify the attorney being
2 served, with a receptionist or an individual in charge of the office,
between normal business hours.

3 () For a party, delivery was made to the party or by leaving the
4 documents at the party's residence with some person not younger
than 18 years of age between normal business hours.

5 () **BY FAX TRANSMISSION.** I caused all of the pages of the above
6 entitled document to be sent to the recipients noted on the attached
7 service list via electronic transfer (FAX) at the respective FAX numbers
8 pursuant to C.C.P. §1013(e) from GARY A. DORDICK, A LAW
CORPORATION on the date set forth above. The machine I used
9 complied with California Rules of Court, Rule 2.306(h)(3) and no error was
reported by the machine.

10 () **BY ELECTRONIC SERVICE [E-MAIL]** I caused the documents to be
11 sent to the persons at the electronic notification addresses listed in the
attached service list. I did not receive, within a reasonable time after the
transmission, any electronic message or other indication that the
transmission was unsuccessful.

12 (XX) **BY CASE ANYWHERE** I caused the documents to be sent to the
13 persons by service through the CASE ANYWHERE repository pursuant to
court order

14 Executed on December 19, 2016 at Beverly Hills, California.

15 I declare under penalty of perjury under the laws of the State of California that
16 the above is true and correct.

17
18 
19
20
21
22
23
24
25
26
27
28
ALONSO PALENCIA

SERVICE LIST

Casillas, et al., vs. All United Transport, Inc., et al.

Case No. BC561976

**Cheryl M. Lott, Esq.
Abi Gnanadesigan, Esq.
BUCHALTER NEMER
1000 Wilshire Boulevard
Suite 1500
Los Angeles, California 90017**

Attorneys for Defendants

**Tel: (213) 891-0700
Fax: (213) 896-0400
Email: clott@buchalter.com
Agnanadesigan@buchalter.com**

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

103000116

1 Gary A. Dordick, Esq. SBN 128008
2 GARY A. DORDICK, A LAW CORPORATION
3 509 South Beverly Drive
4 Beverly Hills, California 90212-4514

4 In Association With:
5 Cara Eisenberg, Esq. SBN 128208
6 The EISENBERG LAW FIRM
7 509 South Beverly Drive
8 Beverly Hills, California 90212
9 Tel: (310) 201-0211
10 Fax: (310) 551-1644
11 cle@EisenbergLawFirm.com

12 Attorneys in association for Plaintiffs

13
14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 FOR THE COUNTY OF LOS ANGELES

16 GABRIEL CASILLAS, an individual on
17 behalf of himself and others similarly
18 situated.

19 Plaintiff,

20 vs.

21 ALL UNITED TRANSPORT, INC., a
22 California corporation, and DOES 1
23 through 50, inclusive,

24 Defendants.

) CASE NO. BC561976
) (Case Assigned for All Purposes to Judge
) Elihu M. Berle)
) (PROPOSED) ORDER APPROVING
) FORMAT OF NOTICE OF CLASS
) CERTIFICATION (ATTACHED)

RECEIVED
Central Civil West

MAR 17 2017

Date Processed _____
By: _____

25 On November 2, 2016, the Court held a Status Conference and requested changes to the
26 proposed Notice of Class Certification. The Plaintiff has lodged a revised Notice of Class
27 Certification.. attached hereto.
28 ///