

SUPERIOR COURT OF CALIFORNIA
COUNTY OF TULARE

Visalia Division
221 S Mooney Blvd, Room 201
Visalia, CA 93291
559.730.5000

06/04/2026

STEPHANIE CAMERON, CLERK
Rebecca Sanchez, Deputy

Pierce, Ronald
Plaintiff/Petitioner,

vs.

Singlepoint Outsourcing
Defendant/Respondent.

Case No. VCU314801

CLERK'S CERTIFICATE OF SERVICE

I certify that I am not a party to this cause.

I certify that I caused the Minute Order dated 6/4/2026 to be served on the persons listed below in the following manner:

☒ BY MAIL: I placed the documents for collection and mailing on the date shown, so as to cause it to be mailed in a sealed envelope with postage fully prepaid on that date following standard court practices to the persons and addresses shown. The mailing and this certification occurred at Visalia, California on June 4, 2026.

STEPHANIE CAMERON,
CLERK OF THE SUPERIOR COURT
COUNTY OF TULARE

By 
Rebecca Sanchez, Deputy Clerk

Names and Mailing/E-Mail Address of Person(s) Served:

KEVIN COLE
KJC LAW GROUP, A PROFESSIONAL CORPORATION
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Jill Fertel
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JOHN NELSON
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Defendant/Respondent.

Judicial Officer: **David Mathias**
Clerk: **Rebecca Sanchez**
Bailiff: **J Devora**
CSR:
Interpreter:
Language:

Minutes: **Motion Hearing**
Other

Date: **June 4, 2026**

Case No. **VCU314801**
Department 01

Related Cases:

Appearances: ☐ No Appearances

☐ Party: _____

☐ Remote Appearance

☐ Party: _____

☐ Remote Appearance

☐ Party: _____

☐ Remote Appearance

☐ Other: _____

☐ Remote Appearance

☐ Court makes interpreter findings on the record pursuant to GC 68561(g)/GC 68561(f)

☒ No court reporter was available for today's proceedings. ☒ Not Reported ☐ ER Number

☒ Attorney: John Nelson, Counsel for Plaintiff,
Present via Zoom

☒ Remote Appearance

☒ Attorney: Jill Fertel, Counsel for Defendant,
Present via Zoom

☒ Remote Appearance

☐ Attorney: _____

☐ Remote Appearance

Case called at 9:41 a.m.

The court notes Defendant's counsel is not present. Matter is trailed pending appearance from Defendant's counsel.

10:09 a.m., matter is recalled. Defendant's counsel is now present.

Plaintiff's counsel states oral argument.

Plaintiff's counsel may file an additional declaration for attorney fees prior to the Final Approval Hearing.

The court adopts tentative ruling as follows:

Motion: Continued Motion for Preliminary Approval

Ruling: To grant the motion and preliminarily approve the settlement, as modified herein; to set the motion for final approval for January 14, 2027; 8:30 am; D1.

Background Facts

At the prior hearing on April 30, 2026, the Court continued this matter and ordered a supplemental declaration as to calculating the lodestar, information regarding the presently incurred costs of counsel and the amount of the administrative costs. On May 15, 2026, counsel for Plaintiff filed a supplemental declaration addressing these issues.

At the prior hearing on May 21, 2025, Plaintiff's counsel requested oral argument and this matter was continued to this hearing date.

Attorneys' Fees and Costs

Attorneys' fees and costs no greater than of 33.3% of the gross settlement fund of \$650,000 or \$216,666.67 are sought in this matter.

Counsel has utilized the percentage of common fund methodology as well as provided adequate lodestar information to evaluate the reasonableness of the fee request.

Here, counsel indicate the firm has spent 121.7 hours at rates ranging from \$1,227 to \$277, resulting in a base lodestar of \$106,125.90. (Supplemental Declaration of Nelson ¶¶2.)

The Court notes that these rates are already higher than what is typically "...prevailing in the community for similar work." (*PLCM Group Inc. v. Drexler* (2000) 22 Cal.4th 1084, 1095.) The Court, therefore, adjusts the hourly rates as follows:

Name	Stated Hourly Rate	Approved Hourly Rate	Hours	Total
Gary M. Klinger	\$1,019	\$800	16.8	\$13,440
David K. Lietz	\$1,227	\$900	2.6	\$2,340
John J. Nelson	\$902	\$700	61.2	\$42,840
Dean Meyer	\$581	\$400	4.2	\$1,680
Mariya Weekes	\$1,019	\$800	4	\$3,200
CJ Cuneo	\$1,019	\$800	20.2	\$16,160
Michelle Benvenuto	\$277	\$150	4	\$600
Sandra Passanisi	\$277	\$150	3.9	\$585
Kendal McLaughlin	\$277	\$150	2.9	\$435
Amanda Mkmanga	\$277	\$150	.1	\$15
Ashley Tyrrell	\$277	\$150	1.1	\$165
Heather Sheflin	\$277	\$150	.7	\$105
Adjusted Base Lodestar:				\$81,565

To award \$216,666.67 in attorneys' fees, therefore, the Court would need to apply a multiplier of 2.65

The Court typically permits a maximum lodestar multiple of 1.5 in these cases.

The Court has reviewed the declarations of counsel in support of what is now an additional 1.15 multiplier, but, in its discretion, rules that the additional .5 awarded adequately takes into account the quality of the representation,

the novelty and complexity of the issues, the results obtained, and the contingent risk presented. (See *In re Vitamin Cases* (2003) 110 Cal.App.4th 1041, 1052 quoting *Thayer v. Wells Fargo Bank* (2001) 92 Cal.App.4th 819, 833) Despite any agreement by the parties to the contrary, the Court has an independent responsibility to review the attorney fee provision of the settlement agreement and award an amount that it determines to be reasonable. (*Garabedian v. Los Angeles Cellular Telephone Co.* (2004) 118 Cal.App.4th 123, 128.)

Therefore, the Court will preliminarily approve \$122,347.50, equal to 1.5 times the current lodestar.

Counsel has also provided the current costs expended in amounts of \$2,028.38 (Supplemental Declaration of Nelson ¶2.) The Court preliminarily approves costs not to exceed \$5,000.00.

Claims Administrator

The Court preliminary approves EisnerAmper as the claims administrator for this class action. The supplemental declaration of Nelson indicates estimated administrative costs of \$49,927.23. (Supplemental Declaration of Nelson ¶3.)

Claim Form

As counsel notes in the supplemental declaration, a claim form is required to obtain a portion of the settlement fund. (Supplemental Declaration of Nelson ¶4.)

Summary

Therefore, Plaintiff's deductions from the gross settlement of \$650,000 are preliminarily approved as follows:

Preliminarily Approved Attorney Fees (1.5 Lodestar):	\$122,347.50
Preliminarily Approved Attorney Costs (up to):	\$5,000.00
Preliminarily Approved Payment to Plaintiff:	\$1,500.00
Preliminarily Approved Administrator Costs	\$ 49,927.23
Preliminarily Approved Settlement Amount	\$471,225.27

Therefore, the Court preliminarily approves the settlement as indicated herein. The Court sets the motion for final approval for January 14, 2027; 8:30 am; D1.

If no one requests oral argument, under Code of Civil Procedure section 1019.5(a) and California Rules of Court, rule 3.1312(a), no further written order is necessary. The minute order adopting this tentative ruling will become the order of the court and service by the clerk will constitute notice of the order. Court reporters are usually not available for law and motion matters in the civil division. The parties and counsel must provide their own reporter if they want a transcript of the proceedings.