

Verdicts & Settlements

RESULT DATE: Oct. 2, 2020

Carlos Mosquera, Juan Rodriguez v. PAC Anchor Transportation Inc. (BC664927)

Los Angeles County Superior Court

21-JV_136705

TOPIC: Employment Law

SUB TOPIC: Wage and Hour

FURTHER DESCRIPTION: Meal and Rest Period

Settlement: \$4,355,804

JUDGE:

Maren E. Nelson

ATTORNEYS:

Plaintiff:

Brian S. Kabateck (Kabateck LLP)

Christopher B. Noyes (Kabateck LLP)

Defendant:

David R. Haberbush (Haberbush LLP)

Vanessa M. Haberbush (Haberbush LLP)

Neil S. Lerner (Cox, Wootton, Lerner, Griffin & Hansen LLP)

FACTS: Plaintiffs Carlos Mosquera and Juan Rodriguez filed a class action lawsuit against their former employer Pac Anchor Transportation, Inc., a federal motor carrier in the drayage industry, alleging that the company misclassified drivers; failed to provide meal or premium pay; failed to provide rest breaks, failed to pay overtime; failed to pay the California minimum wage for all hours worked; failed to timely pay all wages owed upon separation, failed to reimburse all business expenses; and engaged in unlawful, unfair, and deceptive business practices.

PLAINTIFF'S CONTENTIONS: The drivers claimed the trucking company should have classified them as employees and provided overtime wages, minimum wages, separation wages, business expenses, meal and rest breaks, and proper wage documentation. The lawsuit alleged defendant violated numerous state and federal labor laws.

DEFENDANT'S CONTENTIONS: Defendant denied the contentions.

OTHER INFORMATION: The settlement is a compromise and settlement of disputed claims and is not an admission of liability on the part of Pac Anchor Transportation, Inc. The settlement is the result of good faith, arm's length negotiations between the Class Representatives and Pac Anchor Transportation, Inc., through their respective attorneys. Both sides agree that, in light of the risks and expenses associated with continued litigation, the settlement is fair and appropriate under the circumstances and in the best interests of their respective clients. The court has not ruled on the merits of Plaintiffs' claims or Pac Anchor Transportation, Inc.'s defenses.

RESULT: The case settled for \$4,355,804.

FILING DATE: Jun. 14, 2017