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Class Settlement of \$9.5 Million for Truck Drivers

On March 6, 2014, Judge Claudia Wilken, United States District Court Judge for the Northern District of California, gave final approval to a class settlement in the amount of \$9.5 million in the case Mendez, et al. v. R+L Carriers, Inc., et al. (Case No. CV112478CW).

The action was brought by Alexander Krakow + Glick LLP and the Law Offices of Thomas W. Falvey on behalf of 519 truck drivers employed by R+L Carriers in California. The lawsuit alleged that R+L failed to provide its drivers with meal and rest periods in accordance with California law. More specifically, the plaintiffs contended that despite controlling the schedules of drivers, R+L dispatchers failed to schedule time for drivers to take meal and rest periods where they were completely relieved of all work.

The lawsuit also alleged that R+L failed to pay for all hours worked and failed to comply with California's minimum wage laws. The plaintiffs contended that R+L only compensated drivers for the time spent driving the tractor-trailers and not other time they were under the employer's control. Further, it contended that R+L's time keeping system illegally rounded the time worked by drivers in a manner that was beneficial to R+L.

The litigation took over two and one half years prior to settlement. The plaintiffs were successful in obtaining class certification and defeating R+L's motion for summary judgment on the issue that federal law preempted California's meal and rest break laws.

Lead counsel on the case were Michael Morrison of AK+G and Thomas W. Falvey and J.D. Henderson from the Falvey firm.