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6 Attorneys for Defendant TAYLOR MADE GOLF
COMPANY, INC. (d/b/a TaylorMade-adidas Golf
7 Company)

8 **SUPERIOR COURT OF CALIFORNIA**

9 **COUNTY OF SAN DIEGO**

10 VANESSA BULCAO, an individual, on
behalf of herself, the proposed class(es), all
11 others similarly situated, and on behalf of the
general public,

12 Plaintiff,

13 v.

14 TAYLOR MADE GOLF COMPANY, INC.
15 (d/b/a TaylorMade-adidas Golf Company), a
Delaware corporation; and DOES 1 through
16 10, inclusive,

17 Defendants.

CASE NO. 37-2015-00028124-CU-OE-CTL

CLASS ACTION

**DEFENDANT TAYLOR MADE GOLF
COMPANY, INC.'S STATEMENT OF
NON-OPPOSITION TO PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF PROPOSED CLASS
ACTION SETTLEMENT**

[CCP § 382 & CRC Rule 3.769]

[IMAGED FILE]

Date: December 16, 2016

Time: 1:30 p.m.

Dept: C-72

Honorable Timothy B. Taylor

Trial Date: Not Set

Complaint Filed: August 19, 2015

Amended Complaint Filed: March 7, 2016

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25 Defendant TAYLOR MADE GOLF COMPANY, INC. ("TMaG") does not oppose
26 Plaintiff's Motion for Preliminary Approval of Proposed Class Action Settlement.
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1 TMaG predictably does not agree or concede that its meal period and rest break policies
2 and practices violate California law, nor does TMaG agree that its other employment practices
3 challenged by the Plaintiff violate California law. TMaG also does not agree that all of its actions
4 taken after Plaintiff filed this lawsuit were a result of this lawsuit. Nor does TMaG agree that class
5 certification would be appropriate if the parties were going to continue to litigate rather than settle
6 this case.

7 Nevertheless, TMaG agrees that continued litigation carries with it risk for both sides, and
8 that the compromise brokered by Judge Denton (Ret.) as the mediator represents a fair and
9 reasonable settlement considering all factors.

10 Accordingly, TMaG does not oppose Plaintiff's Motion for Preliminary Approval of
11 Proposed Class Action Settlement.

12 Dated: December 6, 2016 SOLOMON WARD SEIDENWURM & SMITH, LLP

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14 By: William V. Whelan
15 WILLIAM V. WHELAN
16 Attorneys for Defendant TAYLOR MADE GOLF
17 COMPANY, INC. (d/b/a TaylorMade-adidas Golf
18 Company)
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6 Attorneys for Defendant TAYLOR MADE
7 GOLF COMPANY, INC. (d/b/a TaylorMade-
adidas Golf Company)

8 **SUPERIOR COURT OF CALIFORNIA**

9 **COUNTY OF SAN DIEGO**

10 **CENTRAL DIVISION**

11 VANESSA BULCAO, an individual, on
12 behalf of herself, the proposed class(es), all
13 others similarly situated, and on behalf of the
14 general public,

14 Plaintiff,

15 v.

15 TAYLOR MADE GOLF COMPANY, INC.
16 (d/b/a TaylorMade-adidas Golf Company), a
17 Delaware corporation; and DOES 1 through
18 10, inclusive,

18 Defendants.

CASE NO. 37-2015-00028124-CU-OE-CTL

CLASS ACTION

PROOF OF SERVICE

[IMAGED FILE]

Complaint Filed: August 19, 2015

Honorable Timothy B. Taylor
Dept: C-72

20 I, the undersigned, declare that I am employed in the County of San Diego, State of
21 California. I am over the age of 18 years and not a party to this action. My business address is
22 Solomon Ward Seidenwurm & Smith, LLP, 401 B Street, Suite 1200, San Diego, California
23 92101. On December 6, 2016, I caused to be served a copy, including all exhibits, if any, of the
24 following documents:

25 **DEFENDANT TAYLOR MADE GOLF COMPANY, INC.'S STATEMENT OF**
26 **NON-OPPOSITION TO PLAINTIFF'S MOTION FOR PRELIMINARY**
APPROVAL OF PROPOSED CLASS ACTION SETTLEMENT

27 on the parties in this action listed in the attached service list, which is incorporated herein by this
28 reference, by the following means:

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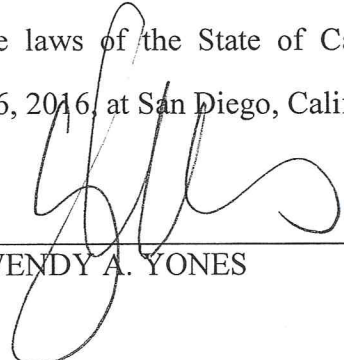
(BY MAIL – AS INDICATED BELOW) I caused each such envelope to be sealed and placed for collection and mailing from my business address. I am readily familiar with the practice of Solomon Ward Seidenwurm & Smith, LLP for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business mail is deposited with the postage thereon fully prepaid in the United States Postal Service the same day as it is placed for collection. I am aware that upon motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit for mailing contained in this affidavit.

(BY PERSONAL SERVICE – AS INDICATED BELOW) I caused each such envelope to be sealed and given to a courier authorized by our attorney service to receive documents for delivery on the same date. A proof of service signed by the authorized courier will be filed on demand.

(BY FEDERAL EXPRESS – AS INDICATED BELOW) I am readily familiar with the practice of Solomon Ward Seidenwurm & Smith, LLP for the collection and processing of correspondence for overnight delivery and know that the document(s) described herein will be deposited in a box or other facility regularly maintained by Federal Express for overnight delivery.

(BY EMAIL – AS INDICATED BELOW) This document was transmitted by email from wyones@swsslaw.com. The transmission was reported as complete and without error.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on December 6, 2016, at San Diego, California.



WENDY A. YONES

SERVICE LIST

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VIA U.S. MAIL
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Attorneys for Plaintiff Vanessa Bulcao