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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Sarmad Syed, an individual, on behalf of himself
and all others similarly situated,

Plaintiff,

vs.

M-I LLC, a Delaware Limited Liability Company,
PreCheck, Inc., a Texas Corporation, and Does 1
through 10,

Defendants.

Case No. 1:14-cv-00742-WBS-BAM

Assigned for all purposes to:
Hon. William B. Shubb, Courtroom 5

**ORDER PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT**

Based on the parties' Joint Motion for Preliminary Approval of the Proposed Settlement and
good cause shown therein, IT IS HEREBY ORDERED:

1. Preliminary Approval of Proposed Settlement. The Agreement, including all exhibits thereto, is preliminarily approved as fair, reasonable and adequate and within the range of reasonableness for preliminary settlement approval. The Court finds that: (a) the Agreement resulted from extensive arm's length negotiations; and (b) the Agreement is sufficient to warrant notice of the Settlement to persons in the Settlement Class and a full hearing on the approval of the Settlement;
2. Class Certification for Settlement Purposes Only. Pursuant to Federal Rule of Civil Procedure

1 23(c), the Court conditionally certifies, for settlement purposes only, the following Settlement
2 Class:

3 All individuals on whom, during the period from May 20, 2009 through the date of this
4 Order, a consumer report for employment purposes was furnished by PreCheck, Inc., and
5 where the address provided listed California as the individual's state of residence at the
6 time the report was furnished, but not any individuals who timely opt-out of the
7 settlement.

8 3. In connection with this conditional certification, the Court makes the following preliminary
9 findings for settlement purposes only:

- 10 a. The Settlement Class appears to be so numerous that joinder of all members is
11 impracticable;
- 12 b. There appear to be questions of law or fact common to the Settlement Class for
13 purposes of determining whether this Settlement should be approved;
- 14 c. Plaintiff's claims appear to be typical of the claims being resolved through the proposed
15 settlement;
- 16 d. Plaintiff appears to be capable of fairly and adequately protecting the interests of the
17 Settlement Class Members in connection with the proposed settlement;
- 18 e. Common questions of law and fact appear to predominate over questions affecting only
19 individual persons in the Settlement Class. Accordingly, the Settlement Class appears to
20 be sufficiently cohesive to warrant settlement by representation; and
- 21 f. Certification of the Settlement Class appears to be superior to other available methods for
22 the fair and efficient resolution of the claims of the Settlement Class.

23 4. Class Counsel. The Dion-Kindem Law Firm and The Blanchard Law Group, APC are hereby
24 appointed as Class Counsel.

25 5. Class Representative. Plaintiff Sarmad Syed is hereby appointed Class Representative;

26 6. Class Notice. The parties' proposed Class Notice is approved for distribution in accordance with
27 the schedule included in the Settlement Agreement.


28 7. Opt-Outs and Objections. Class Members shall have the right to either opt-out or object to this
settlement pursuant to the procedures and schedule included in the Settlement Agreement.

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8. Final Approval Hearing. A Final Approval Hearing is set for **December 14, 2015 at 2:00 p.m.**
in Courtroom 5. The parties shall file briefs in support of the final approval of the settlement no
later than 14 days before the fairness hearing.

9. The Court hereby orders the stay lifted, and the October 26, 2015 Status Conference is now
vacated.

Dated: September 18, 2015



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE