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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 CARMELA MORA, on behalf of herself and all
11 others similarly situated,

12 Plaintiffs,

13 vs.
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15 CAL WEST AG SERVICES, INC., et al.,
16 Defendants.
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Case No. 1:15-cv-1490 LJO EPG

**ORDER APPROVING PROPOSED
REVISED NOTICE PROCESS**

(ECF No. 91)

18 On January 8, 2019, the magistrate judge assigned to this case issued a Minute Order (ECF
19 No. 90) notifying the parties that, based on a review of Plaintiff's motion for final approval of class
20 action, it appeared that the parties had failed to comply with the court's order granting preliminary
21 approval (the "Order") (ECF Nos. 80, 84). Among other things, the parties issued a defective class
22 notice ("Notice") to the class members that did not incorporate the changes the parties had been
23 ordered to make. (*Compare* ECF No. 88-8 (the Notice that was provided to the class members) *with*
24 ECF No. 84 (order setting out required changes to the Notice).) The magistrate judge noted that,
25 based on the defects in the Notice, she planned to vacate the final fairness hearing, set for Friday,
26 January 11, 2018, and provided the parties with an opportunity to respond. (ECF No. 90.)

27 Plaintiffs and the Marthedal Defendants (the "parties")¹ have filed a Joint Statement and

28 ¹ Defendant Cal West Ag Services, Inc., is not a party to the settlement agreement, and thus is not discussed in this order.

1 Proposal Regarding Revised Notice (ECF No. 91) in response to the magistrate judge's minute
2 order. The Joint Statement acknowledges the failure to revise the Notice as required by the Order.
3 The parties propose to send class members a Letter of Supplemental Notice that includes the
4 information that was required to be included in the Notice but was not, and provide the class
5 members with an additional forty-five (45) days within which to raise objections to the settlement.
6 A copy of the proposed Letter of Supplemental Notice is attached to the Joint Statement as exhibit
7 B. (ECF No. 91-2.) The Court finds the proposed Letter of Supplemental Notice to be appropriate
8 for remedying the defects in the Notice and approves the Letter of Supplemental Notice and the
9 revised notice process proposed by the parties.

10 IT IS ORDERED THAT:

- 11 1. The proposed Letter of Supplemental Notice (ECF No. 91-2 at 2) and the revised notice
12 process proposed by the parties (ECF No. 91) are approved.
- 13 2. Within seven (7) days of the date of this order, the parties shall cause the Settlement
14 Administrator to send to all class members the Letter of Supplemental Notice.
- 15 3. Class members shall have forty-five (45) days from the date the letter is mailed to file
16 written objections to the settlement.
- 17 4. Class members may also raise objections at the final fairness hearing, to be set by the
18 Court, but the Court retains discretion to decline to consider any objection that has not
19 been timely submitted in writing.
- 20 5. The parties are directed to contact Courtroom Deputy Michelle Rooney
21 (mrooney@caed.uscourts.gov) to arrange a date to reset the final fairness hearing.

22
23 IT IS SO ORDERED.

24 Dated: January 10, 2019

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE