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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN MARTIN, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

SYSCO CORPORATION and SYSCO
CENTRAL CALIFORNIA, INC.,

Defendants.

No. 1:16-cv-00990-DAD-SAB

ORDER GRANTING STIPULATION FOR
CLASS NOTICE

(Doc. No. 52)

On April 20, 2018, the court issued an order granting in part plaintiff’s motion for class certification. (Doc. No. 44.) In that order, the court directed the parties to meet and confer to ascertain whether a joint stipulated class notice and distribution plan was feasible. (*Id.* at 17.) Following the granting of extensions of time, the parties submitted a joint proposed notice and distribution plan on May 25, 2018. (Doc. No. 52.) The parties have agreed to engage ILYM Group, Inc. as the class administrator. (*Id.* at ¶ 5.) Defendant will compile class members’ identifying information and provide it to ILYM Group within ten (10) business days of an order of this court approving the proposed notice, and ILYM Group will send the notices out within five (5) calendar days of defendant providing that information. (*Id.* at ¶¶ 7–8.) Plaintiff will bear the costs of mailing the notices. (*Id.* at ¶ 6.)

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1 Rule 23 requires that any proposed class notice state the following “clearly and concisely .
2 . . in plain, easily understood language”:

- 3 (i) the nature of the action;
4 (ii) the definition of the class certified;
5 (iii) the class claims, issues, or defenses;
6 (iv) that a class member may enter an appearance through an
7 attorney if the member so desires;
8 (v) that the court will exclude from the class any member who
9 requests exclusion;
10 (vi) the time and manner for requesting exclusion; and
11 (vii) the binding effect of a class judgment on members under Rule
12 23(c)(3).

13 Fed. R. Civ. P. 23(c)(2)(B). The court has reviewed the proposed notice, and it includes each of
14 the items listed above in plain language. (Doc. No. 52-1.) Therefore, the court will approve the
15 proposed class notice.

16 The proposed class notice (Doc. No. 52-1) is approved. Defendant shall provide class
17 members’ identifying information to ILYM Group, Inc. within ten (10) business days of the date
18 of service of this order. ILYM Group shall send the notices within five (5) calendar days
19 thereafter.

20 IT IS SO ORDERED.

21 Dated: May 29, 2018

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24 UNITED STATES DISTRICT JUDGE
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