UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JIMMY GREER, individually, and on behalf of others similarly situated,

Plaintiff,

v.

DICK'S SPORTING GOODS, INC., a Delaware corporation; and DOES 1 through 100, inclusive,

Defendants.

No. 2:15-cv-01063-KJM-CKD

ORDER

On February 7, 2018, the court issued an order granting in part and denying in part plaintiff Jimmy Greer's motion for approval of class notice and notice plan. ECF No. 66. The court ordered the parties to jointly implement the court's changes to the proposed notice and file the revised notice within fourteen days of the court's order. *Id.* at 11-12. The court also ordered plaintiff to provide a supplemental explanation of its administrator CPT Group's processes for confirming class members' mailing addresses and processing mail returned as undeliverable. *Id.* at 10. The court advised that it would "issue an order noting additional changes, if any, approving the notice and issuing a notice plan" upon the parties' filing. *Id.* at 12.

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The parties now submit a jointly revised class notice accompanied by CPT Group's declaration describing its relevant processes. *See* ECF No. 68 at 2-3 (Declaration of Plaintiff's Counsel), Ex. A (Revised Notice), Ex. B (Revised Exclusion Form) & Ex. C (CPT Group Declaration). Although the parties were provided an opportunity to raise objections to the court's revisions to the proposed class notice, ECF No. 66 at 11-12, the parties raised no such objections, *see* ECF No. 68 at 2. CPT Group's declaration satisfies the court's concerns and the parties have incorporated the court's required changes to the notice. Accordingly, with the correction of the typographical errors noted below, the court approves the class notice and exclusion form and issues a class notice plan.

I. Typographical Errors

The parties are ORDERED to correct the following typographical errors in the class notice:

- ECF No. 68 at 5: Delete the comma between "currently work" and "or previously worked."
- ECF No. 68 at 6: Add a space after the sentence, "This case is proceeding on behalf of two classes of employees defined as follows:" and before the description of the class.
- ECF No. 68 at 8: Delete the extra space between paragraphs 6 and 7.
- ECF No. 68 at 11: Change 2017 to 2018 and change all red text to black text.

II. Notice Plan

The court APPROVES the following notice plan:

Ten (10) days after the date of this order, DSG shall provide class information, including the full name, last known home address, phone numbers, social security number and employee identification number, to the administrator in Microsoft Excel or other spreadsheet, in comma-separated value or tabular data format.

No later than 15 days after DSG provides class information to the administrator, the administrator shall (1) update all addresses through the National Change of Address Database maintained by the U.S. Postal Service and (2) mail (first class, postage prepaid) the Class Notice to all class members.

To opt-out, class members must email or sign and return opt-out forms to the administrator with a postmark date of 45 days from the mailing date or earlier.

No later than 7 days after the opt-out deadline, the administrator shall (1) remove all class members who returned a timely opt-out form from the class list and (2) produce the updated list to Class Counsel.

IT IS SO ORDERED.

DATED: March 15, 2018.

UNITED STATES DISTRICT JUDGE