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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

PAULA DITTMAR, et al.,

Plaintiffs,

vs.

COSTCO WHOLESALE CORPORATION,

Defendant.

CASE NO. 14cv1156-LAB (JLB)

**ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

The Court grants the parties' motion for preliminary approval of the class action settlement with Costco subject to the following findings:

1. The Settlement Agreement (Dkt. 147-2) is preliminarily approved as it appears fair, reasonable, and adequate. Fed. R. Civ. P. 23. Class counsel has provided the Court with enough information to find that settlement is in the best interest of everyone involved.
2. The Settlement Class is conditionally certified for settlement purposes only and shall consist of all pharmacists and pharmacy managers employed in a California warehouse by Defendant at any time during the period from April 3, 2010, through August 14, 2017.
3. The Settlement protects the rights of any members who object to the terms. Objectors may exclude themselves from the Settlement and file any claims they have against Defendant, or they may object to the Settlement and voice their concerns at the final approval hearing. But any class members who fail to follow the procedures outlined in the Settlement and Class Notice will waive their right to make any objections to the Settlement.

4. The Court appoints Marjan Ataipour and Brian Kim as Class Representatives fit to represent the Class.
5. The Court appoints Capstone Law APC; Gartenberg Gelfand, Hayton LLP; and Caskey & Holzman as Class Counsel. Counsel have the requisite experience handling class actions.
6. The Court appoints CPT Group, Inc. as the Settlement Administrator.
7. The Court approves the proposed Class Notice as a reasonable method of alerting Class Members that satisfies due process. The Class Notice shall be sent to Class Members in accordance with the schedule below and the procedure laid out in the Settlement.
8. The schedule below sets the key dates for final approval of the Settlement:

| Date | Event |
|---|---|
| August 24, 2017 | Last day for Defendant to produce the Class List to the Settlement Administrator. |
| September 4, 2017 (Or not later than 10 days after Defendants produce the Class List to the Settlement Administrator.) | Last day for the Settlement Administrator to mail the Class Notice to all Class Members. |
| October 12, 2017 (Or at least 7 days before the Response Deadline.) | Last day for Plaintiffs to file the Motion for Attorneys' Fees, Costs, and Class Representative Enhancement Payments. |
| October 19, 2017 (Or not later than 45 days after the Settlement Administrator mails the Class Notice.) | Last day for Class Members to submit Requests for Exclusion or objections to the Settlement. |
| November 3, 2017 | Last day for Plaintiffs to file the Motion for Final Approval of Class Action Settlement. |
| December 4, 2017 | Hearing on Motion for Final Approval of Class Action Settlement and Motion for Attorneys' Fees, Costs, and Class Representative Enhancement Payments. |

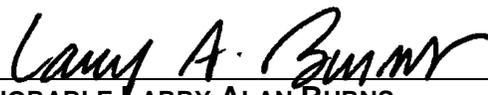
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9. The Settlement provided for continuing jurisdiction of the “Court.” (Dkt. 147-2 at ¶ 64.) The parties don’t need to change that provision, but must file a consent to continuing jurisdiction by a magistrate judge signed by both parties and counsel. Standing Order § 3.

10. The Court advises Class Counsel to read *Staton v. Boeing Co.*, 327 F.3d. 938 (9th Cir. 2003) and *In re Bluetooth Headset Prod. Liab. Litig.*, 654 F.3d 935 (9th Cir. 2011) to ensure that their motions for fees and enhanced awards complies with these cases.

IT IS SO ORDERED.

Dated: August 14, 2017



HONORABLE LARRY ALAN BURNS
United States District Judge