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THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

JAMES HEALY, on behalf of himself and all
others similarly situated,

Plaintiff,

vs.

MILLIMAN, INC., d/b/a INTELLISCRIP, T

Defendant.

Case No. 2:20-cv-01473-JCC

**STIPULATED MOTION AND [~~PROPOSED~~]
ORDER TO MODIFY CLASS DEFINITIONS**

**NOTE ON MOTION CALENDAR:
JULY 29, 2022**

The parties have agreed to modify the class definitions and jointly present this stipulated motion (Dkt. No. 138) for the Court’s approval. In support of the motion, the parties state:

- 1. On April 29, 2022 the Court certified the following classes (Dkt. No. 126):

1681e(b) Inaccuracy Class: All persons residing in the United States (including all territories and other political subdivisions of the United States), beginning five years prior to the filing of this Complaint and continuing through the resolution of this action, about whom Defendant sold a report to a third party containing one or more items of information which did not pertain to the individual who was the subject of the report.

1681i Failure to Properly Reinvestigate Class: All persons residing in the United States (including all territories and other political subdivisions of the United States), beginning five years prior to the filing of this Complaint and continuing through the resolution of this action, who disputed the completeness and/or accuracy of one or more items of information on an Intelliscript report for whom

STIPULATED MOTION AND [~~PROPOSED~~] ORDER TO
MODIFY CLASS DEFINITIONS - 1
Case No. 2:20-cv-01473-JCC

TERRELL MARSHALL LAW GROUP PLLC
936 North 34th Street, Suite 300
Seattle, Washington 98103-8869
TEL. 206.816.6603 • FAX 206.319.5450
www.terrellmarshall.com

1 Defendant responded with form/template communication
2 substantially in the form of MM_HEALY000315.

3 2. The parties seek to modify the class definitions so that the class period contains
4 a specific beginning and end date. *See Sampson v. Knight Trans., Inc.*, No. C17-0028-JCC, 2021
5 WL 2255129, at *2 (W.D. Wash. June 3, 2021) (modifying class definition to set a specific end
6 date). Modifying the definitions in this manner will avoid a second notice to individuals who
7 become class members after the initial notice goes out. *See id.*

8 3. The parties propose the following modified class definitions:

9 1681e(b) Inaccuracy Class: All persons residing in the United States
10 (including all territories and other political subdivisions of the
11 United States), beginning **October 5, 2015 and continuing through**
12 **April 29, 2022** ~~five years prior to the filing of this Complaint and~~
13 ~~continuing through the resolution of this action~~, about whom
14 Defendant sold a report to a third party containing one or more
15 items of information which did not pertain to the individual who
16 was the subject of the report.

17 1681i Failure to Properly Reinvestigate Class: All persons residing
18 in the United States (including all territories and other political
19 subdivisions of the United States), beginning **October 5, 2015 and**
20 **continuing through April 29, 2022** ~~five years prior to the filing of this~~
21 ~~Complaint and continuing through the resolution of this action~~,
22 who disputed the completeness and/or accuracy of one or more
23 items of information on an Intelliscript report for whom Defendant
24 responded with form/template communication substantially in the
25 form of MM_HEALY000315.

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STIPULATED MOTION AND [PROPOSED] ORDER TO

MODIFY CLASS DEFINITIONS - 2

Case No. 2:20-cv-01473-JCC

1
2 STIPULATED AND DATED this 29th day of July, 2022.

3
4 TERRELL MARSHALL LAW GROUP PLLC

WILLIAMS, KASTNER & GIBBS PLLC

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By: /s/ Jeffery M. Wells, WSBA #45840

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STIPULATED MOTION AND [PROPOSED] ORDER TO

MODIFY CLASS DEFINITIONS - 3

Case No. 2:20-cv-01473-JCC

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3 PROPOSED ORDER

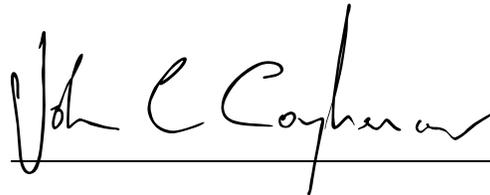
4 The parties' stipulated motion to modify the class definitions is granted. The Court's
5 April 29, 2022 Order is modified, and the certified classes will be defined as follows:

6 1681e(b) Inaccuracy Class: All persons residing in the United States
7 (including all territories and other political subdivisions of the
8 United States), beginning October 5, 2015 and continuing through
9 April 29, 2022, about whom Defendant sold a report to a third party
10 containing one or more items of information which did not pertain
11 to the individual who was the subject of the report.

12 1681i Failure to Properly Reinvestigate Class: All persons residing
13 in the United States (including all territories and other political
14 subdivisions of the United States), beginning October 5, 2015 and
15 continuing through April 29, 2022, who disputed the completeness
16 and/or accuracy of one or more items of information on an
17 Intelliscript report for whom Defendant responded with
18 form/template communication substantially in the form of
19 MM_HEALY000315.

20 IT IS SO ORDERED.

21 DATED this 29th day of July 2022.

22
23 

24 John C. Coughenour
25 UNITED STATES DISTRICT JUDGE
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