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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF
WASHINGTON AT SEATTLE

JOHN DOE, on behalf of his minor child JACK
DOE, and on behalf of others similarly situated,

Plaintiff,

v.

FRED HUTCHINSON CANCER CENTER;
UNIVERSITY OF WASHINGTON SCHOOL
OF MEDICINE; UW MEDICAL CENTER;
HARBORVIEW MEDICAL CENTER;
VALLEY MEDICAL CENTER; UW
PHYSICIANS; UW NEIGHBORHOOD
CLINICS(d/b/a UW MEDICINE PRIMARY
CARE); AIRLIFT NORTHWEST; and
CHILDREN’S UNIVERSITY MEDICAL
GROUP,

Defendants.

NO. 2:23-cv-01893-JHC

**ORDER GRANTING JOINT
MOTION TO APPOINT INTERIM
CLASS COUNSEL**

ROBERT AYERS, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

FRED HUTCHINSON CANCER CENTER,

Defendant.

NO. 2:23-cv-01916-JHC

1 JONATHAN HUNTER, individually and on
2 behalf of all others similarly situated,

NO. 2:23-cv-01988-JHC

3 Plaintiff,

4 v.

5 FRED HUTCHINSON CANCER CENTER, a
6 Washington Nonprofit Corporation,

7 Defendant.

8 GARY HOLZ, JOEL GUAY, and GLORIA
9 MONCRIEF, individually and on behalf of all
10 others similarly situated,

NO. 2:23-cv-01998-JHC

11 Plaintiff,

12 v.

13 FRED HUTCHINSON CANCER CENTER, a
14 Washington Nonprofit Corporation,

15 Defendant.

16 This matter comes before the Court on Plaintiffs' Unopposed Joint Motion to
17 Appoint Interim Class Counsel. (Dkt. No. 6.) The plaintiffs in four different actions filed
18 against Defendant Fred Hutchinson Cancer Center ask the Court to appoint a Plaintiffs
19 Steering Committee pursuant to Rule 23(g) of the Federal Rules of Civil Procedure. Having
20 reviewed the Motion and all supporting materials, and the criteria set forth in Federal Rule of
21 Civil Procedure 23(g), the Court GRANTS the Motion as set forth below:

22 1. Pursuant to Rule 23(g), the Court hereby appoints the following attorneys to
23 serve as Interim Class Counsel:

24 **Co-Chairs of Plaintiffs' Steering Committee:**

25 Kim D. Stephens of Tousley Brain Stephens PLLC;

26 M. Anderson Berry of Clayco C. Arnold PC;

1 **Members of Plaintiffs' Steering Committee:**

2 Raina Borrelli of Turke & Strauss LLP;

3 Ashley Crooks of Hausfeld LLP;

4 Gary Klinger of Milberg Coleman Bryson Phillips Grossman, PLLC, and

5 Brian Gudmundson of Zimmerman Reed LLP.

6 2. The above-named attorneys meet the requirements of Rule 23(g), are designated
7 to act on behalf of the putative class before determining whether to certify the class as a class
8 action, and shall serve as Interim Class Counsel with responsibility for managing the
9 distribution of work among Plaintiffs' counsel and overseeing compliance with the duties and
10 responsibilities set forth herein. The duties and responsibilities of Interim Class Counsel are as
11 follows:

- 12 a) Direct and manage pretrial proceedings on behalf of all plaintiffs,
13 including the briefing and argument of motions and the conduct of all
14 types of discovery proceedings;
- 15 b) Make all work assignments on behalf of Plaintiffs in a manner to
16 promote the orderly and efficient conduct of this litigation and to avoid
17 unnecessary duplication and expense.
- 18 c) Delegate work responsibilities to other plaintiffs' counsel, and monitor
19 the activities of all plaintiffs' counsel to assure that plaintiffs' pretrial
20 preparation is conducted effectively, efficiently, and economically, that
21 schedules are met, and that unnecessary expenditures of time and
22 expense are avoided;
- 23 d) Determine and present (in pleadings, motions, briefs, oral argument, or
24 such other fashion as may be appropriate, personally or by a designee) to
25 the Court and opposing parties the position of the Plaintiffs on all matters
26 arising during pretrial (and if appropriate, trial) proceedings;

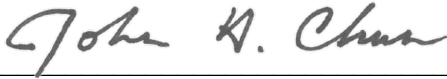
- 1 e) Initiate, coordinate, and conduct all pretrial discovery on behalf of
2 Plaintiffs in this consolidated litigation, including the preparation of joint
3 interrogatories and requests for production of documents, and the
4 examination of witnesses in depositions, and direct and coordinate the
5 conduct of all types of discovery proceedings’
- 6 f) Consult with and employ consultants or experts, as necessary;
- 7 g) Coordinate with plaintiffs’ counsel in management of the litigation and
8 fund the necessary and appropriate costs of discovery and other common
9 benefit efforts;
- 10 h) Coordinate settlement discussions or other dispute resolution efforts on
11 behalf of plaintiffs, under the Court’s supervision, if and as appropriate;
- 12 i) Enter into stipulations with other parties as necessary for the conduct of
13 the litigation;
- 14 j) Prepare and distribute to the plaintiffs and counsel periodic status
15 reports;
- 16 k) Maintain adequate time and disbursement records covering services as
17 appointed counsel; and
- 18 l) Perform such other duties as may be incidental to proper coordination
19 with the other plaintiffs’ counsel with respect to plaintiffs’ pretrial
20 activities or as authorized by further Order of the Court.

21 3. The Court may amend or expand the Plaintiffs’ Executive Committee upon
22 request from Interim Class Counsel or on the Court’s own motion, if and as circumstances
23 warrant.

24 4. Unless otherwise ordered by the Court upon a showing of good cause, this Order
25 shall apply to any action filed in, transferred to, or removed to this Court which relates to the
26 subject matter at issue in this case.

1 IT IS SO ORDERED.

2 DATED: January 5, 2024

3 

4 THE HONORABLE UNITED STATES
5 DISTRICT COURT JUDGE FOR THE
6 WESTERN DISTRICT OF WASHINGTON

7 Presented By:

8 TOUSLEY BRAIN STEPHENS PLLC

9 By: s/ Kim D. Stephens, P.S.

10 Kim D. Stephens, P.S., WSBA #11984

11 Cecily C. Jordan, WSBA #50061

12 1200 Fifth Avenue, Suite 1700

13 Seattle, WA 98101

14 Telephone: 206-682-5600

15 Facsimile: 206-682-2992

16 kstephens@tousley.com

17 cjordan@tousley.com

18 James J. Pizzirusso*

19 HAUSFELD LLP

20 888 16th Street N.W.

21 Suite 300

22 Washington, D.C. 20006

23 (202) 540-7200

24 jpizzirusso@hausfeld.com

25 Steven M. Nathan*

26 HAUSFELD LLP

33 Whitehall Street

Fourteenth Floor

New York, NY 10004

(646) 357-1100

snathan@hausfeld.com

Ashley M. Crooks*

HAUSFELD LLP

33 Whitehall Street

Fourteenth Floor

New York, NY 10004

(646) 357-1100

acrooks@hausfeld.com

Attorneys for Plaintiff Hunter and the Proposed Class

1 TURKE & STRAUSS LLP

2 By: s/ Samuel J. Strauss

Samuel J. Strauss, WSBA #46971

3 Raina Borrelli*

613 Williamson St., Suite 201

4 Madison, Wisconsin 53703-3515

5 Telephone: (608) 237-1775

Facsimile: (608) 509 4423

6 sam@turkestrauss.com

7 ***Attorneys for Plaintiff Doe and the Proposed Class***

9 Brian C. Gudmundson*

Charles R. Toomajian*

10 Michael J. Laird*

ZIMMERMAN REED LLP

11 1100 IDS Center

80 South 8th Street

12 Minneapolis, MN 55402

Telephone: (612) 341-0400

13 Facsimile: (612) 341-0844

brian.gudmundson@zimmreed.com

14 charles.toomajian@zimmreed.com

michael.laird@zimmreed.com

16 ***Attorneys for Plaintiff Ayers and the Proposed Class***

18 EMERY REDDY, PLLC

19 By: s/ Timothy W. Emery

Timothy W. Emery, WSBA #34078

20 Patrick R. Reddy, WSBA #34092

600 Stewart Street, Suite 1100

21 Seattle, WA 98101

Phone: (206) 442-9106

22 Fax: (206) 441-9711

Email: emeryt@emeryreddy.com

Email: reddyp@emeryreddy.com

1 M. Anderson Berry*
Gregory Haroutunian*
2 Brandon P. Jack*
CLAYEO C. ARNOLD
3 A PROFESSIONAL CORPORATION
865 Howe Avenue
4 Sacramento, CA 95825
Telephone: 916.239.4778
5 Fax: 916.924.1829
6 *aberry@justice4you.com*
gharoutunian@justice4you.com
7 *bjack@justice4you.com*

8 Gary M. Klinger*
9 MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN LLC
10 227 W. Monroe Street, Suite 2100
Chicago, IL 60606
11 Phone: (866) 252-0878
12 *gklinger@milberg.com*

13 ***Attorneys for Plaintiffs Holtz, Guay, and Moncrief and the Proposed Class***

14 **pro hac vice forthcoming*