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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

LOUIS GEIGER, CHRISTINA
GOMEZ, AMANDA HAYNES,
PRISCILLA ESCARCEGA, and
GARA BOOTEN, Individually and on
Behalf of all Others Similarly Situated,

Plaintiffs,

vs.

CHARTER COMMUNICATIONS,
INC., CHARTER
COMMUNICATIONS, LLC,
SPECTRUM MANAGEMENT
HOLDING COMPANY, LLC, and
TWC ADMINISTRATION LLC,

Defendants.

Case No.: CV 18-158-DMG (GJSx)

**ORDER RE PLAINTIFFS'
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF
SETTLEMENT [147]**

1 This matter came before the Court on Plaintiffs’ Unopposed Motion for
2 Preliminary Approval of Settlement. The Court, having carefully considered the
3 proposed Joint Stipulation of Class and PAGA Settlement and Release, the proposed
4 Notice of Pendency of Class and Collective Action and Proposed Settlement, the
5 proposed Request for Exclusion Form, and the Unopposed Motion for Preliminary
6 Approval of Settlement and supporting documents, and GOOD CAUSE appearing,
7 **HEREBY ORDERS THE FOLLOWING:**

8 This Order incorporates by reference the definitions in the Joint Stipulation of
9 Class and PAGA Settlement and Release, and all terms defined therein shall have
10 the same meaning in this Order.

11 1. The Court GRANTS preliminary approval of the settlement, as set forth
12 in the Joint Stipulation of Class and PAGA Settlement and Release filed by the
13 Parties. The settlement appears to have been the product of arm’s-length negotiations
14 between the Parties and is within the range of possible final approval—that is, it
15 appears to be fair, adequate, and reasonable to the Class Members and Aggrieved
16 Employees. The settlement appears to be presumptively valid subject to resolution
17 of any valid objections that may be raised at the Final Approval Hearing.

18 2. The Court hereby approves, as to form and content, the proposed
19 Notice of Pendency of Class and Collective Action and Proposed Settlement.

20 3. The Court directs the distribution of the Notice of Pendency of Class
21 and Collective Action and Proposed Settlement by first-class mail to the Class
22 Members in accordance with the implementation schedule set forth in the Joint
23 Stipulation of Class and PAGA Settlement and Release. The Court finds the content
24 and process for providing notice to the Class Members as set forth in the Joint
25 Stipulation of Class and PAGA Settlement and Release fulfills the requirements of
26 due process, provides the best notice practicable under the circumstances, and shall
27 constitute due and sufficient notice to all Class Members.

28 4. The Court appoints CPT Group, Inc. as the Settlement Administrator

1 subject to the terms and conditions of the Parties' Joint Stipulation of Class and
2 PAGA Settlement and Release, and it shall perform all duties and responsibilities
3 of the Settlement Administrator as set forth in the Joint Stipulation of Class and
4 PAGA Settlement and Release.

5 5. By October 30, 2020, Defendants shall provide to the Settlement
6 Administrator the Class List information, including name, last known address, last
7 known telephone number, social security number and amounts to be paid.

8 6. By November 16, 2020, the Settlement Administrator shall send to
9 each Class Member by first class mail the Notice of Pendency of Class and
10 Collective Action, Proposed Settlement and Hearing Date for Court Approval.

11 7. Any Class Member may submit a Request for Exclusion from the
12 Settlement Class as provided in the Joint Stipulation of Class and PAGA Settlement
13 and Release and Notice of Pendency of Class and Collective Action and Proposed
14 Settlement by following the instructions for requesting exclusion. Requests for
15 Exclusion must be postmarked and sent to the Settlement Administrator by
16 December 31, 2020, as specified in the Notice of Pendency of Class and Collective
17 Action and Proposed Settlement. Any Class Member who submits a valid and
18 timely Request for Exclusion shall not be a member of the Settlement Class, shall
19 not be bound by the terms of the Joint Stipulation of Class and PAGA Settlement
20 and Release, shall have no right to object to this settlement, and shall receive no
21 benefit from this settlement.

22 8. Any Class Member may object to the settlement before final approval
23 at the hearing for final approval of the settlement. Any written objections must be
24 postmarked and sent to the Settlement Administrator and properly served upon all
25 attorneys of record by December 31, 2020. Class Counsel and Defendants' Counsel
26 shall thereafter be entitled to file and serve a response to any such objection no later
27 than five (5) calendar days before the hearing on final approval of the settlement.
28 Class Members who submit a Request for Exclusion shall not have standing to

1 object to the Settlement.

2 9. Any Class Member who does not make his or her objection in the
3 manner provided for in the Joint Stipulation of Class and PAGA Settlement and
4 Release and Notice of Pendency of Class and Collective Action and Proposed
5 Settlement shall be deemed to have waived such objections and shall forever be
6 foreclosed from making any objection to the settlement.

7 10. The Settlement Administrator shall certify to Class Counsel and
8 Defendants' Counsel in writing the names of each Class Member who submitted a
9 timely Request for Exclusion, within seven (7) calendar days after the deadline to
10 submit Requests for Exclusion.

11 11. Class Counsel shall provide the Court and Defendants' Counsel, at
12 least thirty (30) days prior to the final fairness hearing, a declaration by the
13 Settlement Administrator of due diligence and proof of mailing with regard to the
14 mailing of the Notice of Pendency of Class and Collective Action and Proposed
15 Settlement.

16 12. Class Counsel's Application for Attorneys' Fees and Costs shall be
17 filed by Plaintiffs and uploaded onto the Settlement Administrator's website by no
18 later than December 7, 2020. The Motion for Final Approval of Settlement shall
19 be filed by January 8, 2021.

20 13. A final fairness hearing on the question of whether the proposed
21 settlement should be finally approved is scheduled for **January 29, 2021 at 10:00**
22 **a.m.** to determine all necessary matters concerning the settlement, including
23 whether the proposed settlement of the action on the terms and conditions provided
24 for in the Joint Stipulation of Class and PAGA Settlement and Release is fair,
25 adequate, and reasonable and should be finally approved by the Court. At that time,

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1 a hearing on Class Counsel's Application for Attorneys' Fees and Costs shall also
2 be held.

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4 **IT IS SO ORDERED.**

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6 DATED: October 16, 2020



DOLLY M. GEE
UNITED STATES DISTRICT JUDGE

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