

**FILED**  
Clerk of the Superior Court

JUL 20 2018

By: K. BRECKENRIDGE

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN DIEGO**

CAROLYN MCCORMICK and TERRIE BEAMS,	)	CASE NO.: 37-2017-00021109-CU-OE-CTL
on behalf of themselves and all others similarly	)	
situated,	)	<b>ORDER GRANTING</b>
	)	<b>PROVISIONAL CERTIFICATION</b>
Plaintiffs,	)	<b>OF CLASS AND PRELIMINARY</b>
	)	<b>APPROVAL OF CLASS ACTION</b>
vs.	)	<b>SETTLEMENT AND APPROVING</b>
	)	<b>THE FORM AND MANNER OF</b>
THE WATCHLIGHT CORPORATION, a	)	<b>CLASS AND SETTLEMENT</b>
California Corporation; ALARM RELAY, INC., a	)	<b>NOTICE</b>
California Corporation; and DOES 1 through 500,	)	Date: July 20, 2018
inclusive,	)	Time: 1:30 p.m.
	)	Place: Department C-72
Defendants.	)	Judge: Hon. Timothy Taylor
	)	[IMAGED FILE]

WHEREAS, the plaintiffs Carolyn McCormick and Terrie Beams, individually on behalf of themselves and representatively on behalf of a plaintiff class, and defendants The Watchlight Corporation and Alarm Relay, Inc., having made a motion for an order preliminarily approving the settlement of the claims alleged against defendants The Watchlight Corporation and Alarm Relay, Inc. in this litigation, in accordance with the Stipulation for Class Action Settlement (the "Stipulation"), which, together with the annexed Exhibits, set forth the terms and conditions for a proposed settlement of the claims alleged against defendants The Watchlight Corporation and Alarm Relay, Inc. in this litigation and for dismissal of the litigation against defendants The Watchlight Corporation and Alarm Relay, Inc. with prejudice upon the terms and conditions set forth in the Stipulation; and the Court having read and considered the Stipulation and the annexed Exhibits;

1 NOW, THEREFORE, IT IS HEREBY ORDERED:

2 1. Pursuant to California Rules of Court 3.769(d) and Section 382 of the California  
3 Code of Civil Procedure, the Court does hereby certify a provisional settlement class: any and all  
4 non-exempt employees (including "Dispatchers" and "Data Entry" employees) of Defendants The  
5 Watchlight Corporation and Alarm Relay, Inc. who worked in Defendants' Central Station in  
6 California at any time between June 12, 2013 and July 20, 2018 (hereinafter the "Class Period"), and  
7 who have not executed releases waiving the claims alleged in the Lawsuit, as verified by Defendants'  
8 personnel and payroll records, and excluding any person who submits a timely and valid Request for  
9 Exclusion from the Class. The Court does hereby appoint Carolyn McCormick and Terrie Beams  
10 as the Lead Plaintiffs or the Representative Plaintiffs of the Class, and appoints Patrick J.S. Nellies,  
11 Esq. of the law firm of Advantage Law Group, A.P.C., as Lead Class Counsel.

12 2. The Court does hereby find that the terms of the proposed settlement as described in  
13 the Stipulation appear to be fair, proper, fall within the range of reasonableness, and appear to be  
14 presumptively valid subject only to any objections that may be raised at the Final Approval Hearing  
15 and hereby preliminarily approves the proposed settlement as set forth in the Stipulation subject to  
16 further consideration at the Final Approval Hearing described below, pursuant to California Rules  
17 of Court 3.769(e). Subject to final approval, the Court hereby accepts and adopts the Stipulation as  
18 an Order of the Court.

19 3. A hearing (the "Final Approval Hearing" or "Fairness Hearing") shall be held before  
20 this Court on **November 9, 2018 at 1:30 p.m.**, in Department C-72 of the San Diego Superior Court,  
21 located at 330 West Broadway, San Diego, California 92101, to determine whether the proposed  
22 settlement of the Litigation on the terms and conditions provided for in the Stipulation is fair, just,  
23 reasonable and adequate to the Class and should be approved by the Court; whether judgment as  
24 provided for in the Stipulation should be entered; and to determine the amount of fees and expenses  
25 that should be awarded to Class Counsel. The Court may adjourn the Fairness Hearing without  
26 further notice to Members of the Class.

27 4. The Court approves, as to form and content, the Notice of Proposed Class Action  
28 Settlement and Fairness Hearing, annexed hereto as Exhibit "A" ("Class Notice Packet"), and finds

1 that the mailing of this Class Notice Packet substantially in the manner and form set forth in this  
2 Order meets the requirements of California Rules of Court 3.769(f), Section 382 of the California  
3 Code of Civil Procedure, and due process, and is the best notice practicable under the circumstances  
4 and shall constitute due and sufficient notice to all Persons entitled to notice.

5         5.         Claims Administrator CPT Group is hereby authorized to supervise and administer  
6 the notice procedure as more fully set forth below:

7         (a)         not later than **August 13, 2018** (the "Notice Date"), (i) Claims Administrator shall cause a  
8 copy of the Notice of Proposed Class Action Settlement and Fairness Hearing, in substantially  
9 similar form as annexed hereto as Exhibit "A", to be sent by United States mail to all Class Members  
10 who have been and can be identified with reasonable effort, and shall also post a copy of the Notice  
11 of Proposed Class Action Settlement and Fairness Hearing, in substantially similar form as annexed  
12 hereto as Exhibit "A" without the Allocation Form included therewith, on an Internet website (the  
13 "Website") established to provide information about the settlement to Class Members;

14         (b)         not later than **October 12, 2018**, Claims Administrator shall deliver to Class Counsel and  
15 Defendant's Counsel to be filed with the Court proof, by affidavit or declaration, of such mailing,  
16 and receipt of any valid requests for exclusion.

17         6.         All Class Members who do not timely opt out of the Class shall be bound by all  
18 determinations and judgments in the litigation concerning the settlement, whether favorable or  
19 unfavorable to the Class.

20         7.         Class Members who wish to participate in the settlement shall comply with the  
21 procedures set forth in the Class Notice.

22         8.         Pending final determination of whether the settlement should be approved, neither  
23 the Representative Plaintiffs nor any Class Member may either directly, representatively, or in any  
24 other capacity, commence or prosecute against any or all of the Released Parties any action or  
25 proceeding in any court or tribunal asserting any of the Released Claims.

26         9.         Any Person falling within the definition of the Class may, upon request, be excluded  
27 from the Class. Any such Person must submit a written request for exclusion to the Claims  
28 Administrator such that it is postmarked on or before **September 27, 2018** and sent to the following:

1                                   The Watchlight Corporation and Alarm Relay, Inc. Settlement  
2   c/o CPT Group  
3   50 Corporate Park  
   Irvine, CA 92606

4 Class Members who wish to be excluded from the Class shall comply with the procedures set forth  
5 in the Class Notice. Such request for exclusion shall include the name, address, and last four (4)  
6 digits of the Social Security Number of the person seeking exclusion, the approximate dates of  
7 employment, and shall clearly indicate that the sender requests to be excluded from the Class and  
8 understands that the sender will not receive any payment or other benefits from the settlement. The  
9 request for exclusion shall not be effective unless all of the above information is included, and unless  
10 the request for exclusion is made within the time stated above; provided, however, that the Court  
11 may, in its discretion, choose to permit exclusion if the request substantially complies with the above  
12 requirements. All Persons who submit valid and timely Requests for Exclusion in the manner set  
13 forth in this paragraph shall have no rights under the Stipulation, shall not receive any Settlement  
14 Fund proceeds, and shall not be bound by the Stipulation or the Final Judgment.

15           10.     At any time up to and including the time of the Final Approval Hearing, any Member  
16 of the Class may appear and show cause, if he or she has any, why the proposed settlement of the  
17 litigation should or should not be approved as fair, just, reasonable and adequate, or why a Judgment  
18 should or should not be entered, or why the proposed service payments to the named Plaintiffs  
19 should not be awarded, or why attorneys' fees and expenses should or should not be awarded to  
20 Class Counsel. Any written objections shall state each specific objection and any legal support for  
21 each objection. The written objection must also state the Class Member's name, address, and  
22 telephone number of the objector and approximate dates of his or her employment by Defendants  
23 The Watchlight Corporation and Alarm Relay, Inc. Any written objections to approval of the  
24 settlement, and any supporting papers and briefs, must be filed with the Clerk of the Court, San  
25 Diego Superior Court, 330 West Broadway, San Diego, California 92101, and properly served upon  
26 the following attorneys:

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To Class Counsel:

Patrick J.S. Nellies, Esq  
ADVANTAGE LAW GROUP, APC  
5820 Oberlin Drive, Suite 110  
San Diego, CA 92121

To Defendant's Counsel:

David W. Baumgarten, Esq.  
YALE & BAUMGARTEN LLP  
1450 Frazee Road, Suite 403  
San Diego, CA 92108

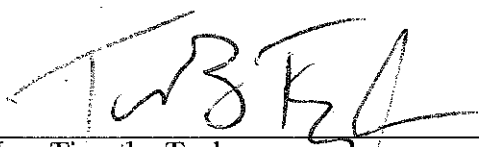
Matthew S. Dente, Esq.  
DENTE LAW, PC  
600 B Street, Suite 1900  
San Diego, CA 92101

Any Member of the Class who does not make his or her objection in the manner provided shall be deemed to have waived such objection and forever shall be foreclosed from making any objection to the fairness, justness, reasonableness or adequacy of the proposed settlement as incorporated in the Stipulation, and to the service payments awarded to the named Plaintiffs, and to the award of attorneys' fees and expenses to Class Counsel, unless otherwise ordered by the Court.

11. All papers in support of the final approval of the settlement and Class Counsels' Fee, Expense and Representative Plaintiff's Incentive Award Application shall be filed with the Court and served on or before **October 19, 2018**.

IT IS SO ORDERED.

Dated: 7/20/18

  
Hon. Timothy Taylor  
Judge of the Superior Court of the State of  
California for the County of San Diego