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2
3 UNITED STATES DISTRICT COURT
4
5 NORTHERN DISTRICT OF CALIFORNIA

6 GEORGE STICKLES and MICHELE
7 RHODES, individuals on behalf of
8 themselves and others similarly situated,

9 Plaintiffs,

10 v.

11 ATRIA SENIOR LIVING, INC.; ATRIA
12 MANAGEMENT COMPANY, LLC; and
13 DOES 1 to 10 inclusive,

14 Defendants.

CASE NO. 3:20-cv-09220-WHA

~~PROPOSED~~ ORDER GRANTING
MOTION FOR PRELIMINARY
APPROVAL OF CLASS AND
REPRESENTATIVE PAGA ACTION
SETTLEMENT

1 On April 13, 2013, the motion by Plaintiffs George Stickles and Michele Rhodes (together
 2 “Plaintiffs”) for preliminary approval of a proposed Class and PAGA Action Settlement
 3 Agreement and Release of Claims (“Settlement”) with Defendants Atria Senior Living, Inc. and
 4 Atria Management Company, LLC (together “Atria”) came on regularly for hearing. The Court,
 5 having carefully considered the motion, its supporting papers, and the arguments of counsel,
 6 ORDERS as follows:

7 1. Preliminarily approval of the Settlement is GRANTED, effective April 13, 2023.
 8 2. The Court appoints Phoenix Class Action (“Phoenix”) as the settlement
 9 administrator and directs Phoenix to complete dissemination of the notices of the proposed
 10 Settlement and opt-out form as outlined in the Settlement subject to the following modifications:

11 a. The deadline for class members to opt-out of or object to the proposed
 12 Settlement is extended from 45 days to 70 days from the date of
 13 Phoenix’s mailing of the notices of Settlement and the notices shall be
 14 revised to reflect the extended response deadline; and
 15 b. The class notice shall be revised to advise class members that (1) they
 16 may obtain and review Plaintiffs’ counsel’s motion for attorneys’ fees,
 17 costs, and service award by accessing the Court docket in this case
 18 through the Court’s Public Access to Court Electronic Records
 19 (PACER) system at <https://ecf.cand.uscourts.gov>. and (2) the attorneys’
 20 fees, costs, and service award will be deducted from the settlement fund
 21 and reduce the recovery of each class member.

22 3. A final approval (fairness) hearing is set for October 10, 2023, at 11:00 a.m. in
 23 Courtroom 12 to consider the fairness, reasonableness, and adequacy of the Settlement as well as
 24 the award of attorneys’ fees and costs to class counsel and a service award to the class
 25 representative.

26 4. Class counsel shall file the motion for an award of attorneys’ fees, costs, and
 27 service award by no later than seven (7) days after Phoenix disseminates any notices of the


1 Settlement.

2 5. Class counsel shall file the motion for final approval of the Settlement, along with
3 responses to any objections to the Settlement, no later than 35 days before the final approval
4 (fairness) hearing.

5 6. The final pretrial conference previously scheduled for April 19, 2023 and the trial
6 previously scheduled to commence on April 24, 2023 are vacated and will be rescheduled if final
7 approval of the Settlement is not granted.

8 **IT IS SO ORDERED.**

9 DATED: April 18, 2023.

10 
11 HON. WILLIAM ALSUP
United States District Judge