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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

KARLI WHITE, and ANTONIO
MITCHELL, individually and as class
representatives,

Plaintiffs,

v.

PROVIDENCE HEALTH SERVICES
WASHINGTON,

Defendant.

No. 20-2-08249-0 SEA

ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS SETTLEMENT

This matter comes before the Court on Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Settlement. The Court has reviewed the papers filed in connection with the Motion, including the declaration of Plaintiffs’ counsel, Adam J. Berger, the parties’ signed Settlement Agreement (Exhibit 1), and the parties’ proposed notice (Exhibit 2) (“Notice”).

The Court GRANTS the motion and preliminarily approves the parties’ proposed Class Settlement. The Court further ORDERS as follows:

1. The Court preliminarily finds that the parties’ proposed Settlement falls within the range of a fair, reasonable, and adequate settlement and notice of the proposed Settlement should be given to the Class Members.

1 2. The Court approves the appointment of ILYM Group as Settlement
2 Administrator with the duties and responsibilities set forth by the parties in the Settlement
3 Agreement. The Court preliminarily approves ILYM Group's fee for these services, capped at
4 \$10,000.

5 3. The Court approves the form and content of the parties' proposed Notice to the
6 Class that is attached as Exhibit 2 to the Declaration of Adam J. Berger.

7 4. The Court concludes that the manner of giving notice by U.S. mail satisfies CR
8 23 and the requirements of due process. Consistent with the terms of the parties' Settlement
9 Agreement, the Court directs Defendant to provide the Settlement Administrator with current
10 contact information for each member of the Class within fifteen (15) days of the entry of this
11 Order; and further directs the Settlement Administrator to, in turn, mail and email a copy of
12 the Notice to each member of the Class within twenty (20) days of receiving such
13 information.
14

15 5. Members of the Class may submit a written objection to any of the terms of the
16 proposed Settlement by following the instructions as set forth in the Notice. Only individuals
17 who file a timely, written objection to the Settlement will be permitted to appeal or seek review
18 of this Court's decision approving or rejecting the Settlement.
19

20 6. The Court conditionally approves Class Counsel's request for an attorneys' fee
21 award of 30% of the Gross Settlement Fund (or \$225,000.00) plus reasonable litigation costs,
22 which as of today are \$50,109.52. This approval is preliminary and is subject to modification
23 at the time of final settlement approval.
24

25 7. The Court preliminarily approves incentive payments of \$5,000 each to Class
26 Representatives Karli White and Antonio Mitchell in recognition of his efforts in this case and

1 service to the Class. This approval is preliminary and is subject to modification at the time of
2 final settlement approval.

3 8. On **April 5, 2024, at 11:15 a.m.**, the Court will conduct a hearing (“Final
4 Settlement Hearing”) to determine whether to approve the Settlement as fair, reasonable, and
5 adequate, which, if so approved, will result in a dismissal of the case with prejudice. The Final
6 Settlement Hearing may, without further notice to the Class, be continued or adjourned by
7 order of this Court. Such hearing will take place in **Courtroom 3C at the King County
8 Superior Court, Maleng Regional Justice Center, 401 4th Avenue North, Kent,
9 Washington 98032.**

11 9. Class Members are not required to attend the Final Settlement Hearing, but may
12 appear if they so choose.

13 10. The Court directs Class Counsel to submit a motion for final approval of the
14 Settlement, along with a proposed order approving the Settlement and awarding Class
15 Counsel’s fees/costs and incentive payment for the Class Representative no later than six (6)
16 calendar days prior to the date of the Final Settlement Approval Hearing. Such papers shall
17 also inform the Court whether notice to the Class was completed in accordance with the
18 requirements of this Order and provide information concerning any objections received as a
19 result of such notice.
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21 11. In the event the parties’ proposed Settlement does not become effective in
22 accordance with the terms of the Settlement Agreement or is not finally approved by this Court,
23 the Court shall vacate this order and reinstate all claims and defenses.
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IT IS SO ORDERED this 19th day of December, 2023.

Electronic Signature Attached
The Honorable Josephine Wiggs

Presented by:

SCHROETER GOLDMARK & BENDER



ADAM J. BERGER, WSBA #20714
LINDSAY L. HALM, WSBA #37141

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Counsel for Plaintiffs

King County Superior Court
Judicial Electronic Signature Page

Case Number: 20-2-08249-0
Case Title: WHITE ET ANO VS PROVIDENCE HEALTH SERVICES
WASHINGTON
Document Title: ORDER

Signed By: Josephine Wiggs
Date: December 19, 2023



Judge: Josephine Wiggs

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: 909C46BF1D9D217C3C0226B7205F26FD0A000719
Certificate effective date: 4/26/2022 11:56:20 AM
Certificate expiry date: 4/26/2027 11:56:20 AM
Certificate Issued by: C=US, E=kcscefiling@kingcounty.gov, OU=KCDJA,
O=KCDJA, CN="Josephine Wiggs:
dum3wMmN7BGboJP7fRvR+g=="