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CASE #: 24-2-15794-8 SEA

Honorable Cindi S. Port
Trial Date: January 12, 2026
Hearing Date: October 9, 2025

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

EILISH HOFFMAN, individually and on
behalf of all those similarly situated,

Plaintiff,

v.

TAGLE AND PARTNERS L.L.C., a
Washington Limited Liability Company and
ALAN TAGLE, individually and on behalf
of the marital community comprised of
ALAN TAGLE and J. DOE TAGLE,

Defendants.

No. 24-2-15794-8 SEA

ORDER REVISING NOTICE
PROCESS AND LIMITING EX PARTE
COMMUNICATIONS WITH CLASS

This matter comes before the Court on Plaintiff's Motion for Revised Notice Process
and To Limit Ex Parte Communication with Class (Motion). The Court has considered the
following materials:

1. Plaintiff's Motion;
2. The Declaration of Andrew D. Boes in Support of Plaintiff's Motion, including
the attached exhibits;
3. Defendants' Response;

1 4. The Declaration of Leah Lively in Support of Defendants' Response, including
2 the attached exhibits;

3 5. The Declaration of Alan Tagle in Support of Defendants' Response;

4 6. Plaintiff's Reply;

5 7. The Supplemental Declaration of Andrew D. Boes, including the attached
6 exhibits;

7 8. Defendants' Sur-Response;

8 9. The Declaration of Leah Lively in Support of Defendants' Sur-Response,
9 including the attached exhibit;

10 10. The Declaration of Alan Tagle in Support of Defendants' Sur-Response,
11 including the attached exhibit;

12 11. The Declaration of Emma Primozich, including the attached exhibit;

13 12. The parties' oral arguments presented at the hearing on October 9, 2025; and

14 13. The records and pleadings on file in this matter.

15 14.

16 The Court FINDS as follows:

17 1. The Court has discretion under Civil Rule 23 to exercise control over a class action
18 and to enter appropriate orders. This authority includes the power to regulate the notice and
19 opt-out process and enter appropriate orders to ensure fairness.

20 2. Class Counsel testifies that he and/or his office communicated with four individuals
21 who expressed concern about the opt-out process and indicated that Mr. Tagle was pressuring
22 them to exclude themselves from the certified class in this matter. One of those individuals,
23 Emma Primozich, submitted a declaration as well.

1 3. The class list submitted by the parties, Dkt. #101, identifies 108 putative class
2 members. As of the date of the Motion, 35 individuals requested to be excluded from the class.
3 The parties have provided information to suggest that, in employment cases, typically one to
4 two percent of putative class members request to be excluded from the class.
5

6 4. Envelopes received by the Third-Party Administrator, Atticus Administration, Inc.,
7 have indicia of coordination or irregularity in the opt-out process. As of September 19, 2025,
8 all 32 of the envelopes received by Atticus were postmarked on one of three dates. All of those
9 envelopes have one of two types of stamp. Many of those envelopes appear to contain the same
10 handwriting. For some of the envelopes, the handwriting for the return address appears
11 different from the handwriting for the sending address. On one of the envelopes, the individual
12 writing the return address appears to have misspelled the name of the return addressee.
13

14 5. Based on the foregoing, there is sufficient evidence to invalidate the opt outs received
15 to date, re-notice the class, and have Defendants issue a statement as set forth below.

16 Accordingly, the Plaintiff's Motion is GRANTED in part and DENIED in part, and the Court
17 HEREBY ORDERS:

18 6. Opt out forms received as of the date of this Order are nullified;

19 7. The parties must undertake a new class notice period, during which class member
20 will receive a second Class Notice. The cost of such second notice shall be advanced by Class
21 Counsel.
22

23 8. Mr. Tagle shall not engage in ex parte communications with members of the class
24 (and putative class members)-regarding this litigation. Mr. Tagle shall not ask or direct anyone
25 that he knows to engage in ex parte communications with members of the class (and putative
26 class members) regarding this litigation. If Mr. Tagle is approached by a class member who

1 wishes to discuss the litigation, or who has questions about the litigation or Class Notice, Mr.
2 Tagle will refer that person to Mary Dardeau at 206-233-1257 and inform them he is not
3 allowed to discuss the litigation by the court.

4 9. Within 14 days of entry of this Order, Mr. Tagle shall send by text to current
5 employees, who are class members, an invitation to attend a zoom meeting at a mutually
6 agreeable time of all counsel, as follows:
7

8
9 Subject: Zoom Meeting for Employee Class Members of *Hoffman v. Tagle &*
10 *Partners, LLC, et al.*
11

12 Body: Below is an invitation to attend a Zoom Meeting on [DATE] at [TIME]
13 for employee class members to hear a statement regarding the class notice
14 process in *Hoffman v. Tagle & Partners, LLC, et al.*
15
16

17 During the zoom call and with all counsel of record present to observe and assist, the
18 corrective statement listed in paragraph 10 below must be read aloud as follows:
19

20 Defense Counsel Intro: Good morning/afternoon. Thank you for attending this Zoom.
21 I represent Mr. Tagle and T&P, LLC. Counsel for the class is also present on this call.
22

23
24 [DEFENSE COUNSEL READS THE DESIGNATED PORTION OF
25 CORRECTIVE STATEMENT]
26

1 [MR. TAGLE READS THE DESIGNATED PORTION OF CORRECTIVE
2 STATEMENT]

3
4 Defense Counsel Conclusion: Thank you for your time. You will be receiving a new
5 Class Notice that includes the name and contact information for class counsel should
6 you have any questions.
7

8 Defendants must compensate the baristas at the applicable minimum wage rate for the
9 time spent attending the zoom call. All current employees, who are class members, will also
10 receive the corrective statement via text after the zoom call has concluded. Defendants shall
11 furnish a copy of the text message and recipient list to their counsel, who will forward it to
12 Class Counsel.
13

14
15 10. The corrective statement shall read as follows:

16 READ BY COUNSEL:

17 This information is being sent to you regarding the lawsuit brought against me and
18 Tagle & Partners, LLC by former barista Eilish Hoffman. I want to inform you that if
19 you previously opted out after receiving the original Class Notice, your opt out was
invalidated by the Court on October 9, 2025.

20 The court invalidated opt outs because the court was concerned that either I and
21 those acting on my behalf may have communicated with some of you about
22 your decision whether to participate in the class action case. The court was
concerned that those communications may have discouraged some people from
participating in the case.

23 As a result, you will be receiving a new Class Notice for the lawsuit brought against
24 me and Tagle & Partners, LLC by former barista Eilish Hoffman. If you want to opt
25 out after receiving the new Class Notice, you will need to send in the opt out form
again.
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READ by MR. TAGLE:

Before you make that decision, I want to inform you that whether you want to participate in the case or opt out of the case is entirely up to you. I am not permitted to retaliate against you for the decision you make or to influence your decision in any way. Also, people acting on my behalf are not allowed to retaliate against you or influence your decision. For example, I cannot and others cannot fire or threaten to fire you, remove or threaten to remove you from the schedule, or reassign or threaten to reassign you to a less favorable shift as a result of your choice to participate or not participate in the case.

If I or someone acting on my behalf said something in the past that caused you to feel pressure to opt out of the case, those communications were made in error. Again, it is wholly your decision whether to participate in the case or opt out of the case.

IT SO ORDERED this ____ day of October, 2025.

The Honorable Cindi S. Port
King County Superior Court Judge

**King County Superior Court
Judicial Electronic Signature Page**

Case Number: 24-2-15794-8 SEA
Case Title: HOFFMAN VS TAGLE AND PARTNERS LLC ET ANO
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Date Signed: 10/16/2025



Judge: Cindi Port

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