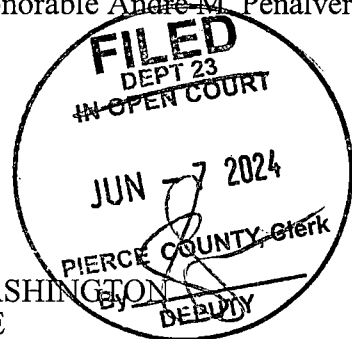


The Honorable André M. Peñalver



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

SHELLY M. KNIGHT, DOUGLAS ZUKOWSKI, and HEATHER FARIS,  
individually and on behalf of all those similarly  
situated,  
  
Plaintiffs,  
  
vs.  
  
MULTICARE HEALTH SYSTEM, a  
Washington Nonprofit Corporation,  
  
Defendant.

No. 22-2-04332-1  
  
ORDER GRANTING PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT, AUTHORIZING  
NOTICE, AND SETTING FINAL  
FAIRNESS HEARING

This matter came before the Court on Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement (“Plaintiffs’ Motion”). In conjunction with Plaintiff’s Motion, Plaintiffs have filed a copy of the Parties’ Class Settlement Agreement (the “Settlement Agreement”), attached as Exhibit 1 to the Declaration of James B. Pizl in support of Plaintiffs’ Motion.

WHEREAS, the Court has considered Plaintiffs’ Motion, the Parties’ Settlement Agreement, and all of the other pleadings, papers, and filings herein;

WHEREAS, as used herein, all terms defined in the Parties’ Settlement Agreement shall have the same meaning here; and

WHEREAS, good cause appearing that the Parties’ Settlement Agreement is within the range of reasonableness, NOW, THEREFORE, IT IS HEREBY ORDERED as follows:



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1 1. The Court approves the proposed form and content of the Notice of Class Action  
2 Settlement (“Class Notice”) that is attached as Exhibit 1 to the Declaration of James B. Pizl.

3 2. The Court hereby appoints CPT Group, Inc. as Settlement Administrator  
4 responsible for establishing a Qualified Settlement Fund (“QSF”) pursuant to IRC § 468B(g),  
5 mailing and/or emailing Class Notices and Settlement Awards to Settlement Class Members, and  
6 processing and filing all appropriate tax forms and documents.

7 3. Consistent with the terms of the Settlement Agreement, the Settlement  
8 Administrator is hereby directed to mail a copy of the Class Notice to each Settlement Class  
9 Member and email a copy of the Class Notice to each Settlement Class Member for whom  
10 Defendant provided an email address, no later than twenty-eight (28) calendar days following the  
11 date of this Order.

12 4. Pursuant to CR 23, the Court hereby finds and concludes that the form and manner  
13 of giving notice by mailing and and/or emailing Class Notice to each individual Settlement Class  
14 Member and creating a settlement website, as required by the Settlement Agreement and by this  
15 Order, is the best notice practicable under the circumstances. Said notice procedures fully satisfy  
16 the requirements of CR 23(c)(2) and CR 23(e) and the requirements of due process.

17 5. The Court preliminarily approves the Settlement Agreement and the terms set forth  
18 therein—including the relief afforded the Settlement Classes, the requested service awards to the  
19 class representatives, the requested award of attorneys’ fees and costs to Class Counsel, and the  
20 payment of settlement administration expenses to Settlement Administrator CPT Group—as being  
21 fair, reasonable and adequate. The final assessment of each of these elements of the settlement  
22 will occur at the hearing on final approval of the settlement agreement. The Settlement Agreement  
23 is the result of extensive litigation, settlement discussions, and arm’s-length negotiations between  
24 experienced attorneys who are familiar with class action litigation in general and with the legal  
25 and factual issues of this case in particular.

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1           6.       The Court approves James Pizl of Entente Law PLLC and Marc Cote and Jack  
2 Miller of Frank Freed Subit & Thomas LLP as Class Counsel for the Settlement Class.

3           7.       On August 30, 2024 at 9:00 a.m., a final Fairness Hearing, for purposes of  
4 determining whether the Settlement Agreement should be finally approved, shall be held before  
5 the Honorable André M. Peñalver at the Pierce County Superior Court in Tacoma, Washington.  
6 At the hearing, the Court will hear arguments concerning whether the settlement and the terms and  
7 conditions provided for in the Settlement Agreement should be granted final approval by the Court  
8 as fair, reasonable and adequate.

9           8.       Pursuant to the Settlement Agreement, Class Counsel will file a memorandum in  
10 support of final approval motion no later than fourteen (14) calendar days before the Objection  
11 Deadline (or sixteen (16) days after the Initial Mailing Date). No later than fourteen (14) days after  
12 the Objection Deadline, Class Counsel will file a supplemental memorandum in support of final  
13 approval of the settlement and to respond to any objections.

14           9.       Any person who is eligible to exclude him or herself from the Settlement Class  
15 under the terms of the Settlement Agreement must do so by following the instructions for  
16 requesting exclusion as set forth in the Class Notice. All requests for exclusion from the Settlement  
17 Class must be postmarked, hand-delivered, or emailed to the Settlement Administrator no later  
18 than thirty (30) days after the date of mailing of the Class Notice, in accordance with the  
19 instructions in the Class Notice and the terms and requirements of the Settlement Agreement, or  
20 they shall be deemed void and ineffective.

21           10.      Any Settlement Class Member who has not validly requested exclusion may submit  
22 an objection to the Settlement Agreement by filing with the Court and postmarking or delivering  
23 to Class Counsel and Defendant's counsel, a signed written statement containing the Settlement  
24 Class Member's name, current address, telephone number, the name of the case, and the reasons  
25 for the objection (including any briefs and supporting papers) no later than thirty (30) days after  
26 the date of mailing of the Class Notice. Any Settlement Class Member who presents a written

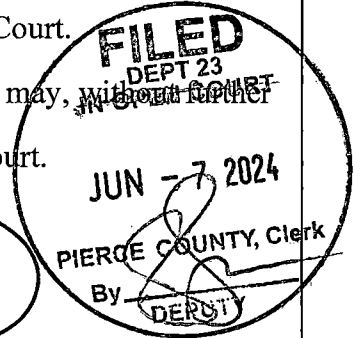
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1 objection in the manner prescribed above may also appear personally or through counsel at the  
2 final Fairness Hearing to express the Settlement Class Member's views regarding the Settlement  
3 Agreement.

4 11. Pending this Court's ruling on final approval of the Settlement Agreement, the  
5 Plaintiffs and all Settlement Class Members are enjoined from filing or prosecuting any claims,  
6 suits or administrative proceedings regarding claims released in the Settlement Agreement, unless  
7 and until the Court's final settlement approval hearing or other order of the Court.

8 12. The final Fairness Hearing, and all dates provided for herein, may, ~~without further~~  
9 notice to the Settlement Class, be continued or adjourned by order of this Court.

10 IT IS SO ORDERED this 7<sup>th</sup> day of June, 2024



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13 The Honorable André M. Peñalver  
14 Judge, Pierce County Superior Court

15 Presented by:

16 ENTENTE LAW PLLC

17 /s/ James B. Pizl  
18 James B. Pizl, WSBA #28969

19 FRANK FREED SUBIT & THOMAS LLP  
20 Marc C. Cote, WSBA #39824  
21 Jack N. Miller, WSBA #57007  
22 Ellicott K. Dandy, WSBA #57279  
23 *Attorneys for Plaintiff*

Copy Received; Approved as to Form;  
Notice of Presentation Waived:

STOEL RIVES LLP

24 /s/  
25 Timothy J. O'Connell, WSBA #15372  
26 Christopher T. Wall, WSBA No. 45873  
Mark O. Morgan, WSBA #52006  
Aaron R. Doyer, WSBA #60095  
*Attorneys for Defendant*