

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

KRIS HARDIE, individually and on behalf of all  
others similarly situated,

Plaintiff,

v.

BEST PARKING LOT CLEANING INC., a  
Washington Corporation,  
Defendant.

No. 17-2-27730-4 KNT

ORDER GRANTING PLAINTIFF'S  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT

WHEREAS, Plaintiff Kris Hardie has applied for an order preliminarily approving the settlement of this action as stated in the Settlement Agreement (attached as Exhibit 1 to the Declaration of Hardeep S. Rekhi in Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement), which sets forth the terms and conditions for a proposed class action settlement and for dismissal of the action with prejudice upon the terms and conditions set forth therein;

WHEREAS, the Court has read and considered the Settlement Agreement, the exhibit thereto, and the briefing submitted in support of preliminary approval of the settlement and is fully advised;

1 NOW, THEREFORE, IT IS HEREBY ORDERED:

2 Unless otherwise provided herein, all capitalized terms in this Order shall have the same  
3 meaning as set forth in the Settlement Agreement.

4 1. The Court preliminarily approves the Settlement Agreement and the terms set forth  
5 therein—including the relief afforded the Settlement Class, the service award to the Plaintiff, the  
6 attorneys’ fees and costs award to Class Counsel, and the Settlement Administration expenses  
7 award—as being fair, reasonable and adequate. The Settlement Agreement is the result of arm’s  
8 length negotiations between experienced attorneys who are familiar with class action litigation in  
9 general and with the legal and factual issues of this case in particular.

10 2. The Court appoints CPT Group, Inc. as Settlement Administrator. The Court approves the  
11 Settlement Administrator to perform the functions required by the terms of the Settlement  
12 Agreement. The Court also approves reasonable compensation and costs to the Settlement  
13 Administrator in accordance with the Settlement Agreement.

14 3. A final fairness hearing (“Final Fairness Hearing”) for purposes of determining whether  
15 the Settlement should be finally approved, shall be held before the Court on November 8, 2019, at  
16 8:30 a.m. in the courtroom of the Honorable Aimée Sutton at King County Superior Court, 401  
17 4th Ave. N., Courtroom 4D, Seattle, Washington. At the hearing, the Court will hear arguments  
18 concerning whether the proposed Settlement and the terms and conditions provided for in the  
19 Settlement Agreement should be granted final approval by the Court as fair, reasonable and  
20 adequate. The Court will also consider and rule on any other matters that the Court deems  
21 appropriate.

22 4. The Court approves, as to form and content, the Notice of Settlement to be sent to the  
23 members of the Settlement Class, which is attached to the Settlement Agreement as Exhibit A. In  
24 addition, the Court finds that distribution of the Notices substantially in the manner set forth in this  
25 this Order and Exhibit A of the Settlement Agreement will meet the requirements of due process  
26

1 and applicable law, will provide the best notice practicable under the circumstances, and will  
2 constitute due and sufficient notice to all individuals entitled thereto.

3 5. The procedure for distributing notice shall be as follows:

4 a. Within seven days of the date of this Order, Defendants shall produce to the  
5 Settlement Administrator for each Settlement Members in MS Excel format: name, last known  
6 address, and last known telephone number.

7 b. No later than 30 days after entry of this Order, the Settlement Administrator  
8 shall issue notice to all Settlement Class Members (“Class Notice”). The date on which Class  
9 Notices are sent shall be deemed the “Initial Notice Mailing Date.”

10 c. Before mailing the Class Notices, the Settlement Administrator will  
11 perform normal and customary address updates and verifications as necessary.

12 d. The Class Notice shall provide that Settlement Class Members may exclude  
13 themselves from the Settlement by submitting a written request which must be postmarked and  
14 received by the Settlement Administrator within thirty days from the Initial Notice Mailing Date.

15 e. If a Class Notice is returned as undeliverable with a forwarding address  
16 provided by the United States Postal Service, the Settlement Administrator will promptly resend  
17 the Class Notice to that forwarding address. If a Class Notice is returned as undeliverable and  
18 without a forwarding address, the Settlement Administrator will perform one skip trace only, and  
19 if it obtains a more recent address, will resend the Class Notice.

20 f. The Settlement Administrator shall also mail, and email if applicable, a  
21 Class Notice to any Class Member who contacts the Settlement Administrator or one of the Parties  
22 and requests a Class Notice.

23 6. No later than twenty-one (21) days from the deadline for Settlement Class Members to  
24 submit exclusions and objections to this Settlement Agreement, Class Counsel shall file a motion  
25  
26

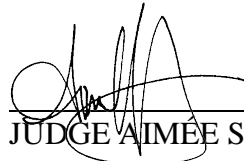
1 requesting that the Court grant final approval of the Settlement Agreement and enter final  
2 judgment as to Defendants in the Action.

3 7. The Court reserves the right to adjourn the date of the Final Fairness Hearing without  
4 further notice to the members of the Settlement Class and retains jurisdiction to consider all further  
5 applications arising out of or connected with the proposed Settlement Agreement.

6 8. If the Court does not enter an order finally approving the Settlement, or if the Settlement  
7 does not become final for any other reason, then the action shall proceed as if the Settlement  
8 Agreement had not been executed.

9  
10 IT IS SO ORDERED.

11 DATED this 12<sup>th</sup> day of September, 2019.

12  
13  
14  
15   
16 JUDGE AIMEE SUTTON

17 Presented by:

18 **REKHI & WOLK, P.S.**

19 By: /s/ Hardeep S. Rekhi, WSBA No. 34579

20 Gregory A. Wolk, WSBA No. 28946

21 Hardeep S. Rekhi, WSBA No. 34579

22 529 Warren Ave N., Suite 201

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King County Superior Court  
Judicial Electronic Signature Page

Case Number: 17-2-27730-4  
Case Title: HARDIE ET ANO VS BEST PARKING LOT CLEANING INC

Document Title: ORDER PRELIM SETTLEMENT APPROVAL

Signed by: Aimee Sutton  
Date: 9/12/2019 10:23:11 AM

A rectangular box containing a handwritten signature in black ink. The signature is cursive and appears to read 'Aimee Sutton'.

Judge/Commissioner: Aimee Sutton

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

Certificate Hash: FE7AF5938B62B0D6530B26DB6BADCEA39154E68E  
Certificate effective date: 3/7/2019 12:13:53 PM  
Certificate expiry date: 3/7/2024 12:13:53 PM  
Certificate Issued by: C=US, E=kcscefiling@kingcounty.gov, OU=KCDJA,  
O=KCDJA, CN="Aimee Sutton:  
GLQAKAvS5hGyPIX3AFk6yQ=="