

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

KATHY WILLIAMSON, et al., individually  
and on behalf of all others similarly situated,

Plaintiffs,

v.

WAL-MART STORES, INC.,

Defendant.

Case No. [5:09-cv-03339-EJD](#)

**ORDER GRANTING MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

Re: Dkt. No. 282

The court has considered the Motion for Preliminary Approval of Class Action Settlement (Dkt. No. 282), the Supplemental Application in Support of Motion for Preliminary Approval (Dkt. No. 288), as well as the representations of counsel at the hearings on October 24, 2018 and December 6, 2018, and hereby GRANTS the motion as follows:

1. The revised version of the Settlement Agreement, as attached as Exhibit 1 to the Supplemental Application, is preliminarily approved as fair, reasonable, and adequate pursuant to Federal Rule of Civil Procedure 23(e).

2. Class Representative Kathy Williamson will remain as the class representative for settlement purposes.

3. Class Counsel Charles A. Jones and Matthew Righetti will remain as Class Counsel for the Settlement Class pursuant to Federal Rule of Civil Procedure 23(g).

4. The content and form of the Notice of Proposed Class Action Settlement, the Claim Form, and the Exclusion Form, attached as Exhibits 1-A, 1-B and 1-D respectively to the revised version of the Settlement Agreement, are approved.

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**ORDER GRANTING MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION  
SETTLEMENT**

1           5.       Phoenix Settlement Administrators (“PSA”) is approved as the Settlement  
2 Administrator for this case.

3           6.       The Settlement class period is June 11, 2008, through the date of the entry of this  
4 Order.

5           7.       No later than December 20, 2018, Wal-Mart shall submit to PSA an electronic  
6 database containing the names, last known addresses, social security numbers, and the number of  
7 pay periods each Settlement Class member worked during the class period while employed by  
8 Wal-Mart in the State of California as a front-end cashier.

9           8.       After receiving the electronic database, PSA shall promptly cause to be performed  
10 a National Change of Address search for each Class Member as well as Skip traces to receive any  
11 updated address information for the class. No later than December 27, 2018, PSA shall cause the  
12 Court-approved Notice, Claim Forms, and Exclusion Forms, to be mailed to all Settlement Class  
13 Members.

14           9.       The following information shall be posted on the website created for this case by  
15 PSA prior to the mailing of Notice to the Class: (1) the Complaint; (2) the revised version of the  
16 Settlement Agreement; and (3) the Notice. In addition, the website shall contain a link allowing  
17 the Settlement Class Members to access his or her Claim Form and a link allowing the Settlement  
18 Class Members to access an Exclusion Form.

19           10.      The court approves the establishment of a Qualified Settlement Fund pursuant to  
20 Treas. Reg. § 1.468B-1 to receive, hold, and distribute the Class Settlement Amount in accordance  
21 with the terms of the Settlement Agreement and this Order, and that the Qualified Settlement Fund  
22 and the Settlement Administrator will be subject to the continuing jurisdiction of this court.

23           11.      The deadline for Settlement Class Members to excludes themselves from this  
24 settlement, submit Claim Forms, or object to the proposed settlement shall be February 25, 2019.

25           12.      The deadline for Class Counsel to submit their application for an award of  
26 attorney’s fees, costs and enhancement awards shall be January 21, 2019. PSA shall post the

United States District Court  
Northern District of California

1 application on the website created for this case no later than three (3) days from the date it is filed  
2 on the court's docket.

3 13. Class Counsel shall file briefs requesting final approval of the settlement and  
4 respond to any objection filed by March 11, 2019. PSA shall post the briefs on the website  
5 created for this case no later than three (3) days from the date they are filed on the court's docket.

6 14. A hearing on final approval of this class action settlement shall be held before the  
7 undersigned at **10:00 a.m. March 28, 2019.**

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9 **IT IS SO ORDERED.**

10 Dated: December 6, 2018



EDWARD J. DAVILA  
United States District Judge

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