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Raper, George Pepper, and aggrieved employees.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

GENEVIEVE BASHAM, JENNIFER
RAPER and GEORGE PEPPER,
individually and on behalf of all current and
former similarly situated employees and/or
all aggrieved employees of Defendants in
the State of California,

Plaintiffs,

v.

TAILORED LIVING CHOICES, LLC, and
DOES 1 THROUGH 50, inclusive,

Defendants.

Case No.: 4:23-cv-02678-DMR

CLASS & REPRESENTATIVE ACTION

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
AND COLLECTIVE ACTION
SETTLEMENT [modified from original]**

Judge: Hon. Donna M. Ryu

1 This matter has come before the court on Plaintiffs Genevieve Basham's, Jennifer Raper's,
2 and George Pepper's Motion for Preliminary Approval of Class and Collective Action Settlement
3 ("Motion"). The court considered the Motion and the points and authorities submitted in support
4 thereof, as well as oral argument and two rounds of supplemental submissions. Good cause
5 appearing, the court hereby orders that the Motion is GRANTED, subject to the following findings
6 and orders:

7 1. Capitalized terms in this Order have the same meaning as they are given in the
8 Stipulation of Settlement and Release ("Agreement") filed with the Motion.

9 2. This Order incorporates by reference the definitions in the Settlement Agreement,
10 and all terms defined therein shall have the same meaning in this Order as set forth in the
11 Settlement Agreement, which is attached to the original Declaration of Vilmarie Cordero as
12 Exhibit 1.

13 3. It appears to the court on a preliminary basis that the terms of the Settlement
14 Agreement are fair, adequate, and reasonable. It appears to the court that investigation and
15 research have been conducted such that counsel for the parties are at this time able to reasonably
16 evaluate their respective positions. It further appears to the court that settlement, at this time, will
17 avoid substantial additional costs by all parties, as well as avoid the delay and risks that would be
18 presented by the further prosecution of the action. It further appears that the Settlement Agreement
19 has been reached as the result of intensive, serious, non-collusive, and arms-length negotiations.

20 4. The court has reviewed the terms of the proposed Settlement Agreement, as well as
21 the original Declaration of Vilmarie Cordero, which sets out in detail the litigation, the informal
22 discovery exchanged, and mediation efforts undertaken by both parties that paved the way for this
23 Settlement. Based upon the court's review of the Settlement, the Notice and Motion, the
24 Memorandum of Points and Authorities in Support Thereof, the original Declaration of Vilmarie
25 Cordero in support of the Motion and the exhibits attached thereto, the Declaration of Genevieve
26 Basham in support of the Motion, the Declaration of Jennifer Raper in support of the Motion, the
27 Declaration of George Pepper in support of the Motion, oral argument, two supplemental
28 Declarations of Vilmarie Cordero, as well as the entire record in this matter, the court finds that

1 the Settlement appears to be fair, adequate, and reasonable to the Class and FLSA Collective, and
2 falls within the range of possible judicial approval.

3 5. The court grants conditional certification of the following Class and Subclass:

4 California Settlement Class: all current and former employees of Tailored Living Choices,
5 LLC (“TLC”) who performed work as an Instructional Assistant for TLC at any time from June
6 29, 2017, through the date of this order granting Preliminary Approval of the Settlement.

7 Waiting Time Subclass: all members of the Class who were employed by TLC at any time
8 between June 29, 2017, through the present, and separated from their employment with Defendant
9 at any time from June 29, 2018, through the date of this order granting Preliminary Approval of
10 the Settlement.

11 6. The court approves the form and content of the Class Notice and Claim/Opt-in
12 Form, which went through two court-directed rounds of revisions and are attached as Exhibits 1
13 and 2 to the Supplemental Declaration of Vilmarie Cordero filed on 4/28/25 [Docket No. 61.] The
14 proposed Notice Plan represents the best practicable approach, as it effectively informs the Class
15 and FLSA Collective of the Settlement Agreement's terms, including the allocation of settlement
16 funds, precise class definitions, requirements for FLSA Collective members to receive payment,
17 and the claims that will be released by participating in the settlement. The Class Notice
18 appropriately explains Class Members’ options, including their right to exclude themselves, object
19 to the settlement, or receive automatic payment if the Settlement Administrator has a valid mailing
20 address. It also informs FLSA Collective Members of their right to opt-in, the claims they will
21 release by opting into the Settlement Agreement, and the ramifications of not opting in. The Class
22 Notice will be disseminated to the Class and FLSA Collective via United States Postal Service
23 First-Class Mail to those with valid mailing addresses. In addition, the Settlement Administrator
24 will take the necessary steps to obtain valid mailing addresses and resend the Class Notice to
25 ensure that the notice reaches as many of the Class and Collective Members as is practicable.

26 7. The court also approves the procedure for FLSA Collective Members to opt in to
27 the FLSA Collective as set forth in the Notice.

28 8. The court directs the mailing of the Class Notice in accordance with the schedule

set forth below and in the Agreement. The court finds that the manner and mode of giving notice to Class and FLSA Collective Members meet the requirements of due process and provide the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

9. The court approves CPT Group, Inc. as the Settlement Administrator. The Settlement Administrator is ordered to carry out the Settlement according to the terms of the Agreement and in conformity with this Order, including disseminating the Class Notice according to the plan described in the Agreement.

10. A Final Approval Hearing is scheduled for **August 28, 2025, at 1:00 p.m.** in the Oakland Federal Courthouse. **The courtroom location will not be known until the week before the hearing, at which time it will be posted on the public calendar.**

11. The following dates shall govern for purposes of this Settlement:

Deadline for Defendant to submit Class Member, FLSA Collective Member, and PAGA Group Member information to Settlement Administrator.	(10 business days from entry of this Order.)
Settlement Administrator to mail Class Notice to Class Members and FLSA Collective Members.	(14 business days from receipt of Class and Collective Member information from Defendant.)
Deadline for Class Members to mail Requests for Exclusion.	(45 days from initial mailing of Class Notice)
Deadline for Class Members to file and serve any objections to the Settlement.	(45 days from initial mailing of Class Notice)
Deadline for FLSA Collective Members to opt in to the FLSA Collective.	(45 days from initial mailing of Class Notice)
Deadline for Class Counsel to file Motion for Final Approval of Settlement and Motion for Attorneys' Fees and Costs.	July 31, 2025

Final Approval Hearing.

August 28, 2025 at 1:00 p.m.

IT IS SO ORDERED.

Dated: May 15, 2025


Hon. Donna M. Ryu
Chief Magistrate Judge

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