

NOTE: This cover sheet is to be used to electronically file and submit to the court a proposed order. The proposed order sent electronically to the court must be in PDF format and must be attached to this cover sheet. In addition, a version of the proposed order in an editable word-processing format must be sent to the court at the same time as this cover sheet and the attached proposed order in PDF format are filed.

1. Name of the party submitting the proposed order:
Plaintiff Eva Yanez
2. Title of the proposed order:
Proposed Order Granting Preliminary Approval of Class Action Settlement
3. The proceeding to which the proposed order relates is:
 - a. Description of proceeding: Motion
 - b. Date and time: To Be Assigned
 - c. Place: Department 19
4. The proposed order was served on the other parties in the case.

(TYPE OR PRINT NAME)


(SIGNATURE OF PARTY OR ATTORNEY)

CASE NAME:

Yanez v. Gardner Family Health Network, Inc.

CASE NUMBER:

20CV364033

**PROOF OF ELECTRONIC SERVICE
PROPOSED ORDER**

1. I am at least 18 years old and **not a party to this action.**

a. My residence or business address is (*specify*):

b. My electronic service address is (*specify*):

2. I electronically served the *Proposed Order (Cover Sheet)* with a proposed order in PDF format attached, and a proposed order in an editable word-processing format as follows:

a. On (*name of person served*) (*If the person served is an attorney, the party or parties represented should also be stated.*):

b. To (*electronic service address of person served*):

c. On (*date*):

☐ Electronic service of the *Proposed Order (Cover Sheet)* with the attached proposed order in PDF format and service of the proposed order in an editable word-processing format on additional persons are described in an attachment.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

1 **COHELAN KHOURY & SINGER**

Michael D. Singer (SBN 115301)

2 msinger@ckslaw.com

3 Jeff Geraci (SBN 151519)

jgeraci@ckslaw.com

4 605 C Street, Suite 200

San Diego, CA 92101

5 Tel: (619) 595-3001/Facsimile: (619) 595-3000

6 **LAW OFFICES OF SAHAG MAJARIAN II**

Sahag Majarian II (SBN 146621)

7 sahagii@aol.com

18250 Ventura Blvd.

8 Tarzana, CA 91356

9 Tel: (818) 609-0807/Facsimile: (818) 609-0892

10 Attorneys for Plaintiff EVA YANEZ, on behalf of herself
11 and all others similarly situated

12 **SUPERIOR COURT OF CALIFORNIA**

13 **FOR THE COUNTY OF SANTA CLARA**

14 EVA YANEZ, on behalf of herself and all
15 others similarly situated,

16 Plaintiff,

17 v.
18

19 GARDNER FAMILY HEALTH
20 NETWORK, INC., a California corporation;
and DOES 1 through 10, Inclusive,

21 Defendants
22

Case No. 20CV364033

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Peter H. Kirwan

Department 19

CLASS ACTION

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: TO BE ASSIGNED

Time: 9:00 a.m.

Dept: 19

Judge: Hon. Peter H. Kirwan

Complaint filed: February 24, 2020

Trial date: Not set

1 This matter came on for hearing in Department 19 of the above-captioned Court on
2 Plaintiff's Motion for Order Granting Preliminary Approval of Class Action Settlement
3 ("Motion"). Having fully reviewed the Motion, supporting memorandum of Points and
4 Authorities, Declarations of Class Counsel Jeff Geraci and Sahag Majarian II, the Joint
5 Stipulation of Settlement and Release of Class Action ("Settlement Agreement") attached as
6 Exhibit 1 to the Geraci Declaration, and the proposed Notice of Class Action Settlement
7 attached as Exhibit A to the Settlement Agreement ("Class Notice"), having carefully analyzed
8 the Settlement Agreement and the Class Notice, and in recognition of the Court's duty to make
9 a preliminary determination as to the reasonableness of any proposed class action settlement,
10 and if preliminarily determined reasonable, to ensure proper notice is provided to Class
11 Members in accordance with due process requirements, and to set a Final Approval Hearing to
12 consider the good faith, fairness, adequacy and reasonableness of the proposed Settlement,
13 THE COURT MAKES THE FOLLOWING DETERMINATIONS AND ORDERS:

14 1. The Court conditionally finds, for purposes of approving the settlement only,
15 the proposed Class meets the requirements for certification under section 382 of the California
16 Code of Civil Procedure: (a) the proposed Class is ascertainable and so numerous joinder of all
17 Class Members is impracticable; (b) there are questions of law or fact common to the proposed
18 Class, and a well-defined community of interest among members of the proposed Class with
19 respect to the subject matter of the class action; (c) the claims of the Class Representative are
20 typical of the claims of proposed Class Members; (d) the Class Representative, Ms. Eva Yanez,
21 has and will fairly and adequately protect the interests of Class Members; (e) a class action is
22 superior to other available methods for efficient adjudication of this controversy for settlement;
23 and (f) counsel of record for the Plaintiff and proposed Class Representative, are qualified to
24 serve as counsel for Plaintiff in her capacity as a representative of the Class, and as counsel for
25 the Class.

26 2. The Court finds on a preliminary basis the Settlement Agreement appears to be
27 within the range of reasonableness of a settlement which could be given final approval by
28 this Court.

1 3. It appears to the Court on a preliminary basis: (a) the non-reversionary maximum
2 Gross Settlement Amount is fair and reasonable to Class Members when balanced against the
3 probable outcome of further litigation relating to class certification, liability and damages
4 issues, and potential appeals; (b) significant investigation, research, and informal discovery,
5 have been conducted such that counsel for the Parties are able to reasonably evaluate their
6 respective positions; (c) settlement at this time will avoid substantial costs, delay, and risks
7 presented by further prosecution of the litigation; and (d) the proposed Settlement was reached
8 through intensive, serious, non-collusive negotiations facilitated by an experienced mediator.

9 4. Good cause appearing, the Motion for Order Granting Preliminary Approval of
10 Class Action Settlement is GRANTED, and the Court incorporates the Settlement Agreement.

11 5. For purposes of this Settlement, Class Members are defined as:

12 All non-exempt employees of Defendant who worked at any time from
13 February 24, 2016, to March 18, 2022, in the State of California.

14 6. The Court finds the proposed Class Notice, attached to this Order as Exhibit 1,
15 fairly and adequately advises Class Members of the: (a) nature of the Class Action;
16 (b) principal terms of the Settlement; (c) Class definition; (d) number of workweeks each Class
17 Member is credited with; (e) Class Member's estimated Individual Settlement Share; (f) dates
18 of the Class Period; (g) method and timing to submit Requests for Exclusion or Objections;
19 (h) claims released in the Settlement Agreement; and (j) date, time and place of the Final
20 Approval Hearing.

21 7. The Court finds the proposed Class Notice provides the best practicable notice to
22 the Class and comports with all constitutional requirements, including those of due process.
23 Accordingly, good cause appearing, the Court APPROVES the Class Notice.

24 8. The Court further finds that mailing of the Class Notice to the last known
25 address of all Class Members with measures taken for verification of an address and skip
26 tracing of bad addresses, as specifically described in the Settlement Agreement, is an effective
27 method of notifying Class Members of their rights in the class action and the Settlement.
28 Accordingly, it is ORDERED:

1 A. CPT Group, Inc. be appointed the Settlement Administrator to administer
2 the Settlement of this matter as more specifically stated in the Settlement Agreement;

3 B. Michael D. Singer and Jeff Geraci of Cohelan Khoury & Singer, and
4 Sahag Majarian of Law Offices of Sahag Majarian II be appointed Class Counsel;

5 C. Plaintiffs Eva Yanez be appointed Class Representative.

6 D. No later than thirty (30) calendar days after the date the Court grants
7 preliminary approval of the Settlement Agreement (if a weekend or holiday, the next business
8 day), Defendant shall provide the Settlement Administrator the following in a Microsoft Office
9 Excel format: (i) full name; (ii) last-known address; (iii) Social Security number and Employee
10 ID number; and (iv) dates of employment, of each Class Member ("Class Data");

11 E. No later than fourteen (14) calendar days after the Settlement
12 Administrator receives the Class Data (if a weekend or holiday, the next business day),
13 the Settlement Administrator shall mail the Class Notice to each Class member by first class,
14 regular U.S. mail, to the most current mailing address available, after taking the measures for
15 updating addresses in the Settlement Agreement. The mailing envelope's exterior shall include
16 the following language below the Settlement Administrator's address:

17 **Important Legal Document:**

18 You may get Money from a Class Action Settlement;
19 your prompt reply to correct a bad address is required.

20 F. No later than forty-five (45) calendar days from the date the Settlement
21 Administrator first mails the Class Notice to Class Members (if the 45th day falls on a Sunday
22 or holiday, the next business day not a Sunday or holiday), ("Response Deadline"),
23 Class Members who wish to exclude themselves from the Class must submit a written request
24 for exclusion in the manner stated in the Class Notice. The Response Deadline shall be
25 extended fifteen (15) calendar days from the original Deadline for Class Members receiving a
26 re-mailed Class Notice. Class Members who fail to submit a valid, timely written Request for
27 Exclusion on or before the Response Deadline shall be Settlement Class Members, bound by all
28 Settlement terms and any final judgment entered in this Action, if the Settlement is approved by
the Court.

1 G. On or before the Response Deadline, any Class Member who wants to
2 object to the proposed Settlement, including the request for attorneys' fees, expenses, or service
3 awards to Class Representatives, may send a written notice of objection in the manner stated in
4 the Class Notice. The Response Deadline for Class Members who received a re-mailed Class
5 Notice shall be extended fifteen (15) calendar days from the original Deadline;

6 H. On or before the Response Deadline, Class Members who want to dispute
7 the basis of their Settlement Payment must postmark and return to the Administrator a written
8 explanation why they believe the information is incorrect, along with any supporting documents
9 as described in the Class Notice. The Response Deadline for Class Members who received a re-
10 mailed Class Notice shall be extended fifteen (15) calendar days from the original Deadline.

11 9. IT IS FURTHER ORDERED that the Final Approval Hearing shall be held
12 before the undersigned at 9:00 a.m. _____, 2023, in Department 9 of the
13 Superior Court of California, County of Santa Clara located at 191 North First Street, San Jose,
14 California 95113, to consider the fairness, adequacy, and reasonableness of the proposed
15 Settlement preliminarily approved by this Order of Preliminary Approval, and to consider the
16 application for a Class Representative service award, Settlement Administrator expenses, and
17 Class Counsel's attorneys' fees and litigation expenses.

18 10. All materials in support of an Order Granting Final Approval, a Class
19 Representative service award, Settlement Administrator expenses, and Class Counsel's
20 attorneys' fees and litigation expenses incurred, shall be filed pursuant to Code of Civil
21 Procedure section 1005(b), sixteen (16) Court days before the hearing.

22 11. IT IS FURTHER ORDERED that if for any reason the Court does not enter an
23 Order Granting Final Approval, or if the Effective Date, as defined in the Settlement
24 Agreement, does not occur, the Settlement Agreement shall have no effect, and the Parties shall
25 be restored without prejudice to the status quo ante as stated in the Settlement Agreement.

26 12. IT IS FURTHER ORDERED that pending further order of this Court, all
27 proceedings in this matter, except those contemplated by this Order and the Settlement
28 Agreement are stayed.

1 13. The Court expressly reserves the right to adjourn or continue the Final Approval
2 Hearing from time to time without further notice to Class Members. However, if written
3 objections are submitted, Class Counsel shall notify objecting Class Members of the new date
4 and time set for the Final Approval Hearing.

5 IT IS SO ORDERED.

6
7 Date: _____

The Honorable Peter H. Kirwan
Judge of the Superior Court

EXHIBIT 1

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

**TO: All non-exempt, hourly employees who worked in California for
Gardner Family Health Network, Inc. (“Gardner”),
any time from February 24, 2016, to March 18, 2022**

A court authorized this notice. This is not a solicitation.

*This is not a lawsuit against you and you are not being sued. However, your legal rights are affected
whether you act or don’t act. Your rights are explained in this Notice.*

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS	
Do Nothing and Receive a Payment	You do not have to do anything to receive a cash Settlement payment. Your Settlement Share, will be mailed to you automatically after the Court grants final approval of the Settlement. (See, Section 5 below). [The Administrator <u>must</u> have your current address to mail your payment]
Exclude Yourself (“Opt Out”)	If you do not want to participate in the Settlement, you may exclude yourself, or “opt out” of the Settlement. If you opt out, you will not receive a Settlement payment, and you will keep all rights you may have against Gardner. (See, Section 7 below). If you exclude yourself from the Settlement, you will still receive your share of the PAGA Payment and release your PAGA claims.
Object	You can object to the Settlement if you think is is not fair by sending a written objection to the Settlement Administrator or by appearing in person at the time of the Final Approval Hearing. (See, Section 8 below).
Change Your Address	If your address is different than the address this Notice was mailed to, you must notify the Administrator of your correct address. A Change of Address Form and pre-printed return envelope are included with this Notice. Your Settlement Share payment will be mailed to the address on file with the Administrator.

**THIS NOTICE EXPLAINS YOUR RIGHTS AND THE DEADLINES TO EXERCISE THEM
DEFENDANT SUPPORTS THE SETTLEMENT AND WILL NOT RETALIATE AGAINST
ANY CLASS MEMBER FOR EXERCISING THE RIGHTS DESCRIBED IN THIS NOTICE**

1. Why did I get this Notice?

A proposed settlement of a class action lawsuit was reached between Plaintiff Eva Yanez (“Plaintiff”) and Defendant Gardner Family Health Network, Inc. (“Defendant” or “Gardner”). The Court in charge of this

case has granted preliminary approval of the Settlement. You received this Notice because you may be a member of the Class, defined as: “All non-exempt employees of Defendant who worked at any time from February 24, 2016, to March 18, 2022, in the State of California.” (“Class Period”).

2. What is this class action lawsuit about?

Plaintiff filed a Complaint alleging Defendant failed to provide all: minimum and overtime wages; rest and meal periods; accurate wage statements; final wages due upon separation of employment; all of which violated Unfair Competition Laws; and Private Attorneys General Act (PAGA).

Gardner denies all allegations and contends it complied with all laws at all times and it is not liable for any damages or penalties claimed by Plaintiff and the Class Members.

The Court granted preliminary approval of the Settlement on <<INSERT PRELIMINARY APPROVAL DATE>> and approved this Notice. The Court also preliminarily approved Plaintiff Eva Yanez as Class Representative, Cohelan Khoury & Singer and Law Offices of Sahag Majarian II, as Class Counsel, and CPT Group, Inc., as Settlement Administrator.

3. What are the terms of the Settlement?

Gross Settlement Amount. Defendant agreed to pay \$1,125,000 (the “Gross Settlement Amount”). The Gross Settlement Amount includes all Settlement payments to Class Members and, subject to Court approval: (a) Settlement Administration Expenses not to exceed \$10,000, (b) Class Representative Service Payment up to \$5,000, to compensate Plaintiff for services undertaken on behalf of the Class, (c) Class Counsel Fees up to \$375,000, (d) Class Counsel Litigation Expenses up to \$21,500, (e) up to \$30,000 for PAGA civil penalties - \$22,500 (75%) paid to California’s Labor Workforce and Development Agency (“LWDA Payment”); and, \$7,500 (25%) paid to Class Members based on the number of pay periods each worked from January 24, 2019, to March 18, 2022 (the “PAGA Period”), compared to the number of pay periods all worked during the PAGA Period.

Settlement Share Payments to Participating Class Members. After deducting Court-approved amounts for the payments above, the remaining portion is the “Net Settlement Amount” (“NSA”) estimated at \$683,500. Individual Settlement Payments shall be distributed from the NSA to all Class Members who do not request to be excluded (“Participating Class Members”). The Settlement Administrator will calculate Individual Settlement Shares by dividing the number of weeks each Class Member worked during the Class Period by the number of Work Weeks all Class Members worked during the Class Period and multiplying that number by the Net Settlement Amount. Each Settlement payment will be allocated as: 30% wages, with payroll withholdings deducted, and IRS W-2 Forms issued; and, 70% interest and penalties with IRS 1099 Forms issued. Nothing in this Notice is advice about taxes. Class Members may want to consult a tax advisor about the tax consequence of Settlement payments. If the Court approves the Settlement, and you have not requested to be excluded, a check for your Settlement Share will be automatically mailed to you at the same address this Class Notice was mailed.

You do not have to do anything to receive a payment, except make sure the Administrator has your current address. A Change of Address Form and pre-printed return envelope are enclosed.

4. What Do I Release Under the Settlement?

Released Claims. As of the date the Judgment becomes Final, all Participating Class Members will fully and finally release Defendant and the Released Parties from all causes of action and factual or legal theories that were alleged in the Complaint or reasonably could have been alleged based on the facts alleged in the Complaint, including: (a) failure to pay minimum wages; (b) failure to pay overtime wages; (c) failure to provide meal periods; (d) failure to provide rest breaks; (e) failure to provide accurate itemized wage statements; (f) failure to timely pay wages due upon separation of employment; and (g) Violations of the Unfair Competition Law. The release of these claims shall be effective for the Class Period (“Released Claims”). Claims for vested benefits, wrongful termination, unemployment insurance, disability, social security, workers’ compensation, and class claims outside of the Class Period, are not released.

If you do not timely exclude yourself from the Settlement, you cannot sue, continue to sue, or be part of any other lawsuit filed against Defendant or any Released Party based on the claims covered by this Settlement. It also means all of the Court’s orders in this case are legally binding on you.

5. How much will my Settlement Share payment be?

Gardner’s records show you worked <<____>> weeks during the Class Period (February 24, 2016, to March 18, 2022) [and <<____>> weeks during the PAGA Period (January 24, 2019, to March 18, 2022).]

Based on this information, you are estimated to receive a payment of <<____>>, less withholdings.

If you dispute the information your Settlement Payment is based on, you must return a written statement of the reasons you believe it is not correct, with any supporting documents you have, to the Settlement Administrator at the address in Paragraph 7 no later than _____, 2023 [forty-five (45) days after the mailing of the Class Notice]. Your written dispute should be signed by you, and include the case name and number, *Yanez v. Gardner*, Case No. 20CV364033.

6. How can I get a Settlement Share payment?

To get your Settlement Share payment, you do not have to do anything. A check for your Settlement Share will be mailed automatically to the same address as this Class Notice. If your address is not correct or has changed since you received this notice, you must notify the Settlement Administrator. A Change of Address Form and pre-printed return envelope are enclosed for your use.

The Court will hold a Final Approval Hearing on _____, 2023 at _____ m. to decide whether to approve the Settlement. If the Court approves the Settlement and there are no objections or appeals, payments will be mailed to Participating Class Members about six weeks after the Court enters its order finally approving the Settlement. If there are objections or appeals, resolving them will take time, usually more than a year before Settlement Share payments can be distributed. Please be patient.

7. What if I do not want to participate in the Settlement?

If you do not want to participate in the Settlement for any reason, you may request to be excluded from the Settlement (“to opt out”). **If you opt out, you will not receive a Settlement Share payment**, and you will not be bound by the terms of the Settlement.

To opt out, you must return a written, signed and dated request, postmarked no later than _____, 2023 [forty-five (45) days after the date of the Notice] to the Settlement Administrator:

Gardner Class Action Settlement Administrator
c/o XXX, Inc.
P.O. BOX _____
Irvine, California 9 _____

The opt-out request must state in substance: “I want to opt out of the Settlement of the case *Yanez v. Gardner*, Case No. 20CV364033. I understand I will not receive a Settlement Payment described in the Notice of Class Action Settlement.” The request must state your full name, address, telephone number, last four digits of your social security number, the approximate dates you worked for Defendant in California, and must be signed by you.

Opt out requests postmarked after _____, 2023, or that are incomplete or unsigned, will be rejected, and you will be bound by the Settlement and will receive your Settlement payment. Even if you return a valid and timely opt-out request, you will still receive a share of the PAGA Penalties and will release PAGA claims.

8. How do I tell the Court that I do not agree with the Settlement?

If you have not returned an opt out request and believe the Settlement should not be finally approved by the Court, you may object to any Settlement term either in writing or in person. All written objections must state your name, the reasons for the objection, and the name and number of the case, *Yanez v. Gardner*, Case No. 20CV364033. Please also state whether you intend to appear at the final approval hearing.

All written objections must be returned to the Administrator at the address in Paragraph 7, no later than _____, 2023, [forty-five (45) days after the date of the Notice]. You may also appear at the Final Approval Hearing on _____, 2023 at _____ m. and tell the Court your objection.

If the Court approves the Settlement you will be bound by all Settlement terms, even if you objected, in the same way as Class Members who do not object.

9. Who are the Attorneys for Plaintiff and the Class?

Michael D. Singer
Jeff Geraci
Cohelan Khoury & Singer
605 C Street, Suite 200
San Diego, CA 92101
Tel: (619) 595-3001
Email: matlas@ckslaw.com

Sahag Majarian II
Law Offices of Sahag Majarian II
18250 Ventura Blvd.
Tarzana, CA, CA 91356
Tel: (818) 609-0807
Email: jeankoper@majarianlaw.com

10. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing at _____ on _____, 2023, in Department 19 of the Superior Court of California, County of Santa Clara, 191 North First Street San Jose, CA 95113, before the Hon. Judge Peter H. Kirwan. The Court will consider whether the Settlement is fair, reasonable, and adequate. If objections to the Settlement are made, the Court will consider them at the

time of this hearing. This hearing may be rescheduled by the Court without further notice. If you submit a written objection, however, you will be provided notice of the rescheduled date. **You are not required to attend** the Final Approval Hearing, although any Class Member is welcome to attend. When the Final Approval Order and Judgment has been signed and entered, it will be posted on the Administrator's website at www._____.com.

Class members may appear at the final approval hearing either in person in the courtroom or by telephone via CourtCall. Class members who wish to appear by CourtCall should contact Class Counsel at least three days before the hearing if possible, to arrange a telephonic appearance. Any CourtCall fees for an class member who wants to appear at the hearing will be paid by class counsel.

11. How do I get more information about the Settlement?

You may call the Settlement Administrator at 800-_____ or write to *Gardner Class Action* Settlement Administrator, c/o XXXXs, Inc., P. O. Box _____, California 9___; or contact Class Counsel at (800) xxx-xxxx for more information.

This Class Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You may review a copy of the Settlement Agreement, the Final Judgment or other Settlement documents by looking at the Register of Actions for the California Superior Court for the County of Santa Clara. (Enter Case No. 20CV364033. <https://portal.scscourt.org/>). You may also review the case files in person at Records, Superior Court of California, County of Santa Clara, 191 N. 1st Street, San Jose, California 95113, between the hours of 8:30 a.m. and 1:30 p.m., Monday through Thursday, and Friday between the hours of 8:30 a.m. to 12:00 p.m., excluding Court holidays and closures. Once the Court grants final approval of the Settlement, you may also view the Final Approval Order and Judgment on the administrator's website, www._____.com.

PLEASE DO NOT CALL THE COURT, THE JUDGE, DEFENDANT'S SUPERVISORS, MANAGERS, OR ATTORNEYS ABOUT THIS SETTLEMENT

- Class members may appear at the final approval hearing either in person in the courtroom or by telephone via CourtCall. Class members who wish to appear by CourtCall should contact Class Counsel at least three days before the hearing if possible, to arrange a telephonic appearance. Any CourtCall fees for an objecting class member will be paid by Class Counsel.
- To receive your Settlement Share payment as a Participating Class Member, you must not return an opt out request, and your current mailing address must be on file with the Administrator. All Class Members who worked any time during the PAGA Period, will receive a share of the PAGA Payment and release all PAGA claims.
- Settlement Share and PAGA Payment checks will be void 180 days after issued if not deposited or cashed. After 180 days, the Settlement Administrator will forward the unclaimed amount to Legal Aid at Work, legalaidthatwork.org, a non-profit organization providing legal services to California workers. If your check is lost or misplaced, contact the Settlement Administrator immediately to request a replacement.

Superior Court of California, County of Santa Clara
Yanez v. Gardner Family Health Network, Inc.,
Case No. 20CV364033

CHANGE OF ADDRESS FORM

I wish to change my name or mailing address or other contact information to the following:

Name: _____

Former Name (if applicable): _____

Street and Apt. No., if any: _____

City, State and Zip Code: _____

Telephone(s): (Home): _____; (Cell): _____

I understand all future correspondence in this Action, including but not necessarily limited to important notices or Settlement Payments, will be sent to the address listed above and not to the address previously used. I request and consent to the use of the address listed above for these purposes.

Submitted by:

Dated: _____

Print Name: _____

Signature: _____

**PLEASE RETURN THIS FORM IN THE ENVELOPE PROVIDED
OR VIA UNITED STATES FIRST-CLASS MAIL TO:**

Gardner Class Action Settlement Administrator
c/o CPT Group, Inc.
P.O. BOX _____
Irvine, California 9 _____

CHANGE OF ADDRESS FORM

Questions? Call Toll Free – 877- _____