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11 all similarly situated aggrieved employees

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

13 **COUNTY OF ORANGE**

14 LOGAN SHANE CRABTREE, individually,
15 on behalf of the Class, and all similarly situated
16 aggrieved employees

17 Plaintiff,

18 v.

19 VIVINT, INC., a Delaware corporation;
20 VIVINT SMART HOME, INC., a Delaware
corporation; SMART HOME PROS, INC., a
21 Delaware corporation; ARM SECURITY,
INC., a corporation state unknown; and DOES
22 1 through 50, inclusive,

23 Defendants.

Case No. 30-2020-01141910-CU-OE-CXC

**NOTICE OF RULING AT STATUS
CONFERENCE**

Complaint Filed: June 3, 2020

Dept.: CX103

Judge: Hon. Lon F. Hurwitz

24 PLEASE TAKE NOTICE that Judge Lon F. Hurwitz ordered the following ruling at the
25 Status Conference scheduled for September 24, 2024. No appearances were made by Counsel.

26 The Court ordered that Plaintiff give Notice as provided in the Minute Order attached as
27 Exhibit "A".
28

1 Dated: September 30, 2024

By: s/ John J. Weber
Eric D. Norvell, Esq.
Jason E. Baker, Esq.
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Attorneys for LOGAN SHANE CRABTREE

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EXHIBIT A

September 24, 2024 TENTATIVES LHURWITZ

		Tentative
#1	Crabtree vs. VIVINT, INC 2020- 01141910	Final Accounting The Final Accounting hearing was set for September 6, 2024. Counsel was ordered to file the administrator's declaration at least fourteen (14) calendar days before the hearing regarding the status of disbursement of the settlement funds. (ROA 410.) On August 8, 2024, Plaintiffs filed the declaration of the settlement administrator. (ROA 420.) The administrator attests that Defendants deposited \$6,500,000.00 into the Gross Settlement Fund on January 12, 2024. On January 19, 2024, the administrator made all payments identified in the Final Approval Order. The administrator attests that the check expiration date for all payments was May 18, 2024. After the administrator sent check cashing reminders and resolved check re-issue requests, the administrator still held unclaimed funds totaling \$575,287.88 for 1,777 Class Members as of August 5, 2024. The checks ranged from \$0.89 to \$6,625.98. (Admin. Decl., ¶¶ 3-7.) The administrator attests that on or about September 30, 2024, it will transfer the funds from the uncashed checks to the State Controller's Office. (Admin. Decl., ¶ 8.) The administrator's declaration is inadequate because it fails to provide details regarding: (1) the number of checks sent to Class Members, (2) the total amount of those checks, (3) how many checks remained uncashed as of the check cashing deadline and the total amount of those checks, and (4) how many checks were re-issued at the request of Class Members and the total amount of those checks.

EXHIBIT A

		<u>RULING:</u> The Final Accounting hearing is CONTINUED to October 24, 2025, at 1:30 p.m. in Department CX103 so that the settlement administrator can complete disbursement of the settlement funds. Plaintiffs must file the settlement administrator's supplemental declaration no later than fourteen (14) calendar days prior to the continued hearing date. The supplemental declaration must address the issues identified above and provide information regarding the remittance of uncashed funds to the State Controller's Office. Plaintiff to give notice of the Court's ruling, including to the LWDA, within five (5) calendar days. The Court does not require any physical or remote appearance at the hearing set for September 24, 2024. If the parties do not intend to submit on the tentative, please inform the clerk by emailing her before 12:00 p.m. on the day of the hearing at CX103@occourts.org.
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