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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN FRANCISCO**
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11 MATTHEW O'DONNELL, an individual, on
12 behalf of himself and on behalf of all persons
similarly situated,

13 Plaintiff,

14 vs.

15 OKTA, INC., a corporation; and Does 1
16 through 50, Inclusive,

17 Defendants.
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Case No. CGC-20-587665

[PROPOSED] ORDER:

**(1) PRELIMINARILY APPROVING
PROPOSED SETTLEMENT;**

**(2) CONDITIONALLY CERTIFYING
SETTLEMENT CLASS;**

**(3) APPOINTING CLASS
REPRESENTATIVE, CLASS COUNSEL,
AND SETTLEMENT ADMINISTRATOR;**

**(4) APPROVING CLASS NOTICE AND
RELATED MATERIALS; AND**

**(5) SETTING HEARING FOR FINAL
APPROVAL OF SETTLEMENT**

Date: September 28, 2021

Time: 9:30 a.m.

Judge: Hon. Ethan P. Schulman

Dept.: 302

Complaint filed: October 30, 2020

FAC filed: June 16, 2021

Trial date: None set

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1 The joint motion of plaintiff Matthew O'Donnell ("Plaintiff") and defendant Okta, Inc.
2 ("Defendant" or "Okta") (together, the "Parties") for Preliminary Approval of Class Action
3 Settlement (the "Motion") came on regularly for hearing before this Court on September 28,
4 2021 at 9:30 a.m. The Court, having considered the proposed Settlement Agreement (the
5 "Settlement"), attached as Exhibit 1 to the Declaration of Kyle Nordrehaug filed concurrently
6 with the Motion; having considered the Motion, Memorandum of Points and Authorities in
7 support thereof, and supporting declaration filed therewith, and any argument presented at the
8 hearing on the Motion; and good cause appearing, HEREBY ORDERS THE FOLLOWING:

9 1. The Court GRANTS preliminary approval of the class action settlement as set
10 forth in the Settlement and finds its terms to be within the range of reasonableness of a
11 settlement that ultimately could be granted approval by the Court at a Final Approval Hearing.
12 For purposes of the Settlement only, the Court finds that the proposed Class is ascertainable and
13 that there is a sufficiently well-defined community of interest among the members of the Class in
14 questions of law and fact. Therefore, for settlement purposes only, the Court grants conditional
15 certification of the Class, which is defined as follows:

16 All current and former employees who worked for Okta in a non-exempt
17 position in California at any time from October 30, 2016 through June 7,
18 2021.

19 2. For purposes of the Settlement, the Court designates Plaintiff Matthew O'Donnell
20 as Class Representative, and designates Norman B. Blumenthal, Kyle R. Nordrehaug and
21 Aparajit Bhowmik of Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class Counsel.

22 3. The Court designates ILYM Group as the third-party Settlement Administrator
23 for mailing notices.

24 4. The Court approves, as to form and content, the Notice of Proposed Settlement,
25 Conditional Certification of Settlement Class, Preliminary Approval of Settlement, and Hearing
26 Date for Final Court Approval ("Class Notice"), and the Notice of Estimated Settlement Share,
27 attached as Exhibit A and Exhibit B, respectively, to the Settlement (collectively, the "Class
28 Notice Packet").

1 5. The Court finds that the form of notice to the Class Members regarding the
2 pendency of the action and of the Settlement, and the methods of giving notice to Class
3 Members, constitute the best notice practicable under the circumstances, and constitute valid,
4 due, and sufficient notice to all Settlement Class members. The form and method of giving
5 notice complies fully with the requirements of California Code of Civil Procedure section 382,
6 California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and
7 other applicable law.

8 6. The Court further approves the procedures for Class Members to opt out of or
9 object to the Settlement, as set forth in the Notice.

10 7. The procedures and requirements for filing objections in connection with the
11 Final Approval Hearing are intended to ensure the efficient administration of justice and the
12 orderly presentation of any Class Member's objection to the Settlement, in accordance with the
13 due process rights of all Settlement Class members.

14 8. The Court directs the Settlement Administrator to mail the Class Notice Packet to
15 the Class Members in accordance with the terms of the Settlement.

16 9. The Notice shall provide at least 45 calendar days' notice from the date of initial
17 mailing for Class Members to opt out of, or object to, the Settlement.

18 10. The Final Approval Hearing on the question of whether the Settlement should be
19 finally approved as fair, reasonable, and adequate is scheduled in Department 302 of this Court,
20 located at 400 McAllister Street, San Francisco, California 94102, on February 16, 2022 at 9:30
21 a.m..

22 11. At the Final Approval Hearing, the Court will consider: (a) whether the
23 Settlement should be finally approved as fair, reasonable, and adequate for the Class; (b) whether
24 a judgment granting final approval of the Settlement should be entered; and (c) whether
25 Plaintiff's application for reasonable attorneys' fees, reimbursement of litigation expenses,
26 representative payment to Plaintiff, and settlement administration costs should be granted.

27 12. Counsel for the Parties shall file memoranda, declarations, or other statements
28 and materials in support of their request for final approval of the Settlement, attorneys' fees,

litigation expenses, Plaintiff's representative payment, and settlement administration costs prior to the Final Approval Hearing according to the time limits set by the Code of Civil Procedure and the California Rules of Court.

13. An implementation schedule is below:

Event	Date
Okta to provide Class Data to Settlement Administrator no later than [30 days after preliminary approval]:	October 28, 2021
Settlement Administrator to mail Class Notice Packets to Class Members no later than [15 days after receiving Class Data]:	November 12, 2021
Deadline for Class Members to opt out, or object to, the Settlement, or submit disputes to the Settlement Administrator [45 days after mailing of Class Notice Packets]:	December 27, 2021
Deadline for Parties to jointly file Motion for Final Approval of Class Action Settlement and deadline for Plaintiff's application for Class Representative Payment and the Class Counsel Fees and Expenses Payment:	January 24, 2022
Final Approval Hearing	February 16, 2022

14. Pending the Final Approval Hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this Order, are stayed.

15. Counsel for the Parties are hereby authorized to utilize all reasonable procedures in connection with the administration of the Settlement which are not materially inconsistent with either this Order or the terms of the Settlement.

IT IS SO ORDERED.

Dated: _____, 2021

The Honorable Ethan P. Schulman
Judge of the Superior Court