

FILED

2025 SEP 22 AM 9:03

Hearing Date: September 22, 2025 at 8:30 a.m.

GRAYS HARBOR CO.
KYM FOSTER
COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF GRAYS HARBOR

MADELINE ANDERSON, individually and
on behalf of all persons similarly situated,

Plaintiff,

v.

GRAYS HARBOR COMMUNITY
HOSPITAL, a Washington non-profit
corporation,

Defendant.

No. 24-2-00013-14

~~[PROPOSED]~~ ORDER GRANTING
SETTLEMENT CLASS
CERTIFICATION AND PRELIMINARY
APPROVAL OF CLASS-WIDE
SETTLEMENT

This matter comes before the Court on Plaintiff's Unopposed Motion for Settlement Class Certification and Preliminary Approval of Class-Wide Settlement. The Court has reviewed the papers filed in connection with the Motion, including the declaration of Plaintiff's counsel, Carson Phillips-Spotts, and exhibits thereto.

The Court GRANTS the motion and preliminarily approves of the parties' proposed class-wide settlement. The Court further ORDERS as follows:

1. The Court finds that the prerequisites of CR 23(a) and (b)(3) are satisfied for the Settlement Class, as defined by the parties and set forth below. Specifically, the Settlement Class, which consists of approximately 750 individual workers, is sufficiently numerous such that joinder of all members is impracticable. Further, there are questions of law and fact

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CLASS CERTIFICATION AND PRELIMINARY
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1 common to the Settlement Class, including, but not limited to: whether the operational
2 requirements of Class Members' jobs prevented them from getting adequate meal breaks;
3 whether GHCH provided sufficient staffing and other opportunities for employees to
4 receive meal breaks; whether GHCH provided compensation to hourly-paid employees
5 for their missed meal breaks; and whether GHCH's practices constituted willful
6 withholding of wages under the Wage Rebate Act, RCW 49.52. The Court also finds that
7 the Named Plaintiff's claims are typical of the claims of the Settlement Class, and that Plaintiff
8 and her counsel will fairly and adequately protect the interests of the Settlement Class. Finally,
9 certification of a settlement class under CR 23(b)(3) is appropriate because questions of law
10 and fact common to all Settlement Class Members predominate over any questions that might
11 affect only individual members in the context of the proposed settlement, and a class action
12 settlement is superior to other available means for the fair and efficient resolution of this
13 controversy.
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15 2. Pursuant to Civil Rule 23(a) and (b)(3), the Court certifies this matter as a class
16 action for settlement purposes, with the Settlement Class defined as follows:
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18 Plaintiff and all other hourly paid employees of GHCH in Washington State
19 between January 8, 2021, and May 25, 2024 (the "Settlement Class Period").

20 3. The Court appoints Named Plaintiff Madeline Anderson as Class
21 Representative, and Carson Phillips-Spotts, Lindsay Halm, and Adam Berger of Schroeter
22 Goldmark & Bender and Ross Shanberg and Shane Stafford of Shanberg Stafford LLP as Class
23 Counsel.
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1 4. The Court preliminarily finds that the parties' proposed Settlement falls within
2 the range of a fair, reasonable, and adequate settlement and notice of the proposed Settlement
3 should be given to the Settlement Class.

4 5. The Court approves the appointment of ILYM Group, Inc. as Settlement
5 Administrator with the duties and responsibilities set forth by the parties in the Settlement
6 Agreement. The Court preliminarily approves ILYM's fee for these services, in an amount not
7 to exceed \$11,000.

8 6. The Court approves the form and content of the parties' proposed notice to the
9 Settlement Class (the "Notice") that is attached as Exhibit 2 to the Declaration of Carson
10 Phillips-Spotts.

11 7. The Court concludes that the manner of giving notice by U.S. mail and also by
12 making the Notice available to be read online satisfies CR 23 and the requirements of due
13 process. Consistent with the terms of the parties' Settlement Agreement, the Court directs
14 Defendant to provide the Settlement Administrator with current contact information for each
15 member of the Settlement Class within ten business (10) days of the entry of this Order; and
16 further directs the Settlement Administrator to, in turn, mail a copy of the Notice to each
17 member of the Settlement Class within fifteen (15) calendar days of the date of preliminary
18 approval.

19 8. Individuals who receive the Notice and wish to exclude themselves ("opt out")
20 from the Settlement Class must do so within thirty (30) days of the Notice date by following
21 the instructions as set forth in the Notice.

22 9. Members of the Settlement Class who do not "opt out" may submit a written
23 objection to any of the terms of the proposed settlement within thirty (30) days of the Notice
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1 date, by following the instructions as set forth in the Notice. Only individuals who file a timely,
2 written objection to the settlement will be permitted to appeal or seek review of this Court's
3 decision approving or rejecting the settlement.

4 10. The Court conditionally approves Class Counsel's request for an attorneys' fee
5 award of 25% of the Maximum Settlement Amount (or \$525,000.00) plus reasonable litigation
6 costs, not to exceed \$15,000.00. This approval is preliminary and is subject to modification at
7 the time of final settlement approval.

8 11. The Court preliminarily approves an incentive payment of \$10,000 to Named
9 Plaintiff Madeline Anderson in recognition of her efforts in this case and service to the
10 Settlement Class. This approval is preliminary and is subject to modification at the time of
11 final settlement approval.

12 12. On 12/1/, 2025, at 8:30 a.m., the Court will conduct a hearing
13 ("Final Settlement Hearing") to determine whether to approve the settlement as fair,
14 reasonable, and adequate, which, if so approved, will result in a dismissal of the case with
15 prejudice. The Final Settlement Hearing may, without further notice to the Settlement Class,
16 be continued or adjourned by order of this Court. Such hearing will take place at the Grays
17 Harbor County Superior Court in located at 102 W Broadway Ave Ste 203, Montesano, WA.
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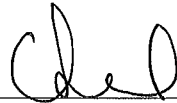
19 13. Settlement Class Members are not required to attend the Final Settlement
20 Hearing in order to be considered part of the Settlement Class, but may appear if they so
21 choose.
22

23 14. The Court directs Class Counsel to submit a motion for final approval of the
24 settlement, along with a proposed order approving the settlement and awarding Class
25 Counsel's fees/costs and an incentive payment for the Class Representative no later than six
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1 (6) calendar days prior to the date of the Final Settlement Approval Hearing. Such papers shall
2 also inform the Court whether the mailing to the Settlement Class was completed in accordance
3 with the requirements of this Order, and provide information concerning any opt-outs or
4 objections received as a result of such mailing.

5 15. In the event the parties' proposed settlement does not become effective in
6 accordance with the terms of the Settlement Agreement or is not finally approved by this Court,
7 the Court shall vacate this order and reinstate all claims and defenses.

8 IT IS SO ORDERED this 22 day of September, 2025.

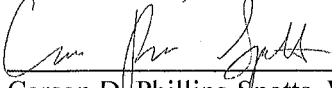
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Judge, Grays Harbor County Superior Court

12 Presented by:

13 SCHROETER, GOLDMARK & BENDER

VINI E. SAMUEL
JUDGE

14 
15 Carson D. Phillips-Spotts, WSBA #51207
16 Lindsay L. Halm, WSBA #37141
Adam J. Berger, WSBA #20714

17 SHANBERG STAFFORD LLP
18 Ross E. Shanberg, *pro hac vice*
Shane Stafford, *pro hac vice*

19 *Counsel for Plaintiff*

20
21 Approved as to Form:

22 SEBRIS BUSTO JAMES

23 s/Tina Aiken

24 Darren A. Feider, WSBA #22430
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