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3 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**
4 **FOR THE COUNTY OF JACKSON**

5 **RENEE MAZA, JODI REAL, AND STEVE**
6 **PRICE**, individually and on behalf of all
7 similarly situated,

8
9 Plaintiffs,

10 v.

11 **WATERFORD OPERATIONS, LLC AND**
12 **COOS BAY REHABILITATION, LLC,**

13 Defendants.

Case No. 14CV03147

ORDER GRANTING FINAL
APPROVAL OF CLASS
ACTION SETTLEMENT

14 This matter has come before the Court on Plaintiffs' Unopposed Motion for Final
15 Approval of the Stipulation and Settlement Agreement of Class Action.

16 WHEREAS, this Court has jurisdiction over settlement of a class action pursuant to
17 ORCP 32 and ORS 19.410(3);

18 WHEREAS, the Court takes notice that Class Member were previously given the
19 opportunity to request exclusion from the case, as required by ORCP 32F(1), and those that are
20 listed in Attachments A and B to the General Judgment did not request exclusion from the
21 Lawsuit;

22 WHEREAS, the Court has received and reviewed the Settlement Agreement entered into
23 between Plaintiffs as the Class Representatives, on the one hand, and Defendants Waterford
24 Operations, LLC and Coos Bay Rehabilitation, LLC, on the other hand, and has considered the
25 terms of the proposed settlement set forth therein;

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1 WHEREAS, all terms contained herein shall have the same meanings as set forth in the
2 Settlement Agreement, unless otherwise defined herein;

3 WHEREAS, on December 23, 2024, the Court entered its order preliminarily approving
4 the Settlement of this class action, approving the form and method of notice, and setting a date
5 and time for a final approval hearing to consider whether the Settlement should be finally
6 approved by the Court pursuant to ORCP 32 as fair, adequate, and reasonable (the “Preliminary
7 Approval Order”);

8 WHEREAS, the Preliminary Approval Order further directed that all Class Members be
9 given notice of the Settlement, the right to submit any objections to the Settlement, and the date
10 for the Final Approval Hearing;

11 WHEREAS, the Court has received a declaration from RG/2 Claims Administration,
12 LLC (“RG/2”), the appointed Settlement Administrator, attesting that the notice procedures in
13 the Settlement Agreement and the Preliminary Approval Order have been carried out;

14 WHEREAS, the Court having considered that no Class Member filed any objection to the
15 Settlement; and

16 WHEREAS, the Court having conducted the Final Approval Hearing on March 21, 2025,
17 with attorney Karen A. Moore representing the Plaintiffs and Class Members and attorney
18 William E. Gaar representing the Defendants, and having considered the arguments presented,
19 all papers filed and all proceedings had therein;

20 IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

21 1. The Court has jurisdiction over the subject matter of this action, Plaintiffs, all
22 Class Members, and Defendants.

23 2. In accordance with ORCP 32, and the requirements of due process, all Class
24

1 Members have been given proper and adequate notice of the Settlement. Based upon the
2 evidence submitted by the Parties, the Settlement Agreement, the arguments of counsel, and all
3 the files, records and proceedings in this case, the Court finds that the Notice and notice
4 methodology implemented during the pendency of the litigation and further notice pursuant to
5 the Settlement Agreement and the Court's Preliminary Approval Order (a) constituted the best
6 practicable notice under the circumstances; (b) constituted notice that was reasonably calculated,
7 under the circumstances, to apprise Class Members of the Lawsuit, their right to object to the
8 Settlement, and their right to appear at the hearing; (c) were reasonable and constituted due,
9 adequate and sufficient notice to all persons entitled to notice; and (d) met all applicable
10 requirements of ORCP 32 and any other applicable law.
11

12 3. The Settlement Agreement in this action warrants final approval pursuant to
13 ORCP 32, because it is fair, adequate, and reasonable to those it affects; resulted from the
14 parties' extensive good-faith arm's length negotiations; and is in the public interest considering
15 the following factors:
16

- 17 (a) the strength of the Plaintiffs' case;
- 18 (b) the expense and likely duration of Defendants' appeal;
- 19 (c) the amount offered in settlement;
- 20 (d) the stage of the proceedings;
- 21 (e) the experience and views of counsel; and
- 22 (f) the reaction of the class members to the proposed settlement.

23 See *Torrisi v. Tucson Elec. Power Co.*, 8 F.3d 1370, 1375 (9th Cir. 1993) (setting forth factors to
24 consider). Settlements that follow extensive and genuine arms-length negotiation are presumed
25 fair. *Hanlon v. Chrysler Corp.*, 150 F.3d 1011, 1026 (9th Cir. 1998).
26

4. The Motion For Final Approval is hereby GRANTED, and the Settlement
Agreement is hereby APPROVED as fair, reasonable, adequate, and in the public interest, and
the terms of the Settlement Agreement are hereby determined to be fair, reasonable and
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adequate, for the exclusive benefit of the Class Members. The Parties and Settlement Administrator are directed to consummate the Settlement Agreement in accordance with its terms and this Court's orders.

5. The Court APPROVES payment of the Settlement Amount in accordance with the terms of the Settlement Agreement.

6. The Court AWARDS payment of Class Representative Service Awards to Renee Maza, Jodi Real, and Steve Price in the total amount of \$54,971.54.

7. The Court AWARDS payment to Class Counsel for \$1,605,542.57 in attorney fees and \$55,669.63 in costs.

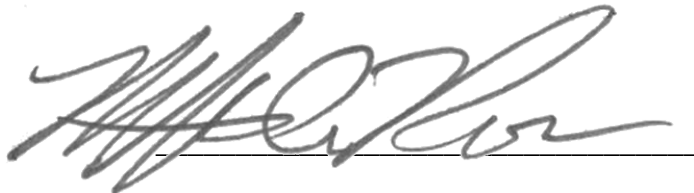
8. The plan for allocation of the Settlement Amount is hereby APPROVED as fair, adequate, and reasonable. The Settlement Amount shall be distributed in accordance with this Order and the terms and deadlines of the Settlement Agreement.

9. Without affecting the finality of the Settlement, including the Released Claims as of the Effective Date, this Court retains jurisdiction over (a) implementation of the Settlement and the terms of the Settlement Agreement; (b) distribution of the Settlement Amount; and (c) all other proceedings related to the implementation, interpretation, administration, consummation, and enforcement of the terms of the Settlement Agreement and/or the Settlement.

10. Finally, the Court instructs Class Counsel to file the Satisfaction of Judgments, as required by the Settlement Agreement, after all settlement administration and fund distribution has been completed.

3/17/2025 12:39:29 PM

IT IS SO ORDERED.



Circuit Court Judge, Matt Rowan

1 **Stipulated and submitted by**
2 **SCHUCK LAW, LLC**
3 **Date: March 12, 2025**

BUCKLEY LAW, PC
Date: March 12, 2025

4 s/Karen A. Moore
5 David A. Schuck, OSB 993564
6 Karen A. Moore, OSB 040922
7 Stephanie J. Brown, OSB 0300019
8 Attorneys for Plaintiffs and Class

s/William E. Gaar¹
William E. Gaar, OSB 890464
Jillian Pollock, OSB 072494
Attorneys for Defendants

26 ¹ Electronic signature provided after receipt of written permission by the corresponding attorney.
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CERTIFICATE OF READINESS – UTCR 5.100

Renee Maza, Jodi Real, and Steve Price v. Waterford Operations, LLC and Coos Bay Rehabilitation, LLC, case no. 14CV03147

This proposed order or judgment is ready for judicial signature because each party affected by this order or judgment has stipulated to the order or judgment, as shown by each party's signature on the document being submitted.

DATED: March 12, 2025.

s/ Karen A. Moore

KAREN A. MOORE, OSB 040922

kmoore@wageclaim.org

Attorney for Plaintiffs and Class Counsel

CERTIFICATE OF SERVICE

Renee Maza, Jodi Real, and Steve Price v. Waterford Operations, LLC and Coos Bay Rehabilitation, LLC, case no. 14CV03147

I hereby certify that I caused to be served the foregoing ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT upon:

William Gaar
Jillian Pollock
Buckley Law, PC
5300 Meadows Road, Suite 200
Lake Oswego, OR 97035
weg@buckley-law.com
jp@buckley-law.com

Attorneys for Defendants

by electronic mailing through the Oregon Electronic Court system, in accordance with UTCR 21.100, on March 12, 2025.

by emailing a full, true, and correct copy thereof to the person(s) above on March 5, 2025.

DATED: March 12, 2025.

s/ Karen A. Moore

KAREN A. MOORE, OSB 040922

kmoore@wageclaim.org

Attorney for Plaintiffs and Class Counsel