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**FILED**  
Superior Court of California  
County of San Francisco

JUL 19 2021

CLERK OF THE COURT

By: \_\_\_\_\_  
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

ADRIANA HAYTER, LARINE SHIELDS,  
and TAYLOR EVANS; individually, and on  
behalf of all other similarly situated persons;  
and ROES 1-100,

Plaintiffs,

v.

EWALD & WASSERMAN RESEARCH  
CONSULTANTS, LLC, a California limited  
liability corporation; KATRIN EWALD, an  
individual; LISA WASSERMAN, an  
individual; and DOES 1-20,

Defendants.

Case No. CGC-19-577753

ORDER GRANTING PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT

The Court has before it Plaintiffs' unopposed Motion for Preliminary Approval of Class Action Settlement and Class Certification. The Court held a hearing on the motion on June 16, 2021. Several supplemental filings have been submitted. After reviewing Plaintiffs' Motion for Preliminary Approval and the supporting documents, including the supplemental filings, the parties' settlement agreement in this matter (the "Settlement Agreement"),<sup>1</sup> the proposed notice

<sup>1</sup> The Settlement Agreement is Exhibit 3 to the Third Supplemental Declaration of Yosef Peretz filed on July 7, 2021.

1 to class members, and other papers filed herein, and after conducting a hearing on Plaintiffs'  
2 Motion, the Court hereby finds and orders as follows:

3 1. The Settlement Agreement is within the range of possible final approval, such that  
4 notice should be provided to the Settlement Class. Preliminary approval of the settlement is  
5 granted.

6 2. The Court conditionally certifies for settlement purposes the "Settlement Class":

7 a. "Settlement Class" means "all persons employed by any of the Defendants  
8 or Released Parties in a Class Position, at any time during the Class Period."

9 b. The "Class Period" is the time period from August 1, 2015 through the date  
10 of the Court's entry of this order.

11 c. "Class Position" means "all persons who worked for Defendants as a non-  
12 exempt Part-Time Telephone Interviewer, or other similar positions, classified as an hourly non-  
13 exempt employee by the State of California during the Class Period."

14 d. "Released Parties" means "Defendants Lisa Wasserman, Katrin Ewald,  
15 Ewald and Wasserman Research Consultants, LLC, their parents, subsidiaries, affiliates, insurers,  
16 related entities and divisions, and its and their respective: (i) predecessors, successors, and  
17 assigns, and (ii) current and former agents, heirs, executors, administrators, principals, officers,  
18 directors, shareholders, employees, founders, members, assigns, insurers, attorneys, and all other  
19 claiming through and by any of them."

20 3. For settlement purposes only, the proposed Settlement Class meets the  
21 requirements for certification. Specifically, for settlement purposes: (1) the proposed Settlement  
22 Class is numerous and ascertainable; (2) there are predominant common questions of law or fact;  
23 (3) Plaintiffs' claims are typical of the claims of the members of the proposed Settlement Class;  
24 and (4) a class action is superior to other methods to efficiently adjudicate this controversy  
25 through settlement.

26 4. For settlement purposes only, the Court appoints Named Plaintiffs Adriana Hayter,  
27 Larine Shields, and Taylor Evans as Class Representatives.  
28

1           5.       For settlement purposes only, the Court appoints Yosef Peretz and Shane Howarter  
2 of the Peretz & Associates law firm and Martin M. Horowitz and Stephanie Rubinoff of the  
3 Horowitz & Rubinoff law firm as counsel for the Settlement Classes (“Class Counsel”).

4           6.       The Court appoints Simpluris, Inc. as the Settlement Administrator.

5           7.       The Court approves, as to the form and content, the Notice of Class Action  
6 Settlement (“Notice”), attached as Exhibit 1 to the Third Supplemental Declaration of Yosef  
7 Peretz filed on July 7, 2021.

8           8.       The proposed plan for distributing the Notice set forth in the Settlement  
9 Agreement at Section II.6 meets the requirements of due process and constitutes the best notice  
10 practicable under the circumstances. The proposed procedures for responding to the Notice set  
11 forth in the Settlement Agreement at Sections II.6 and II.7 and in the Notice are approved.

12           9.       The maintenance of a settlement website is approved. The settlement website will  
13 go live on or before the date that notice is first mailed. The settlement website will remain active  
14 at least through the final approval hearing. The Notice, the operative complaint, the Settlement  
15 Agreement, and all documents, including Court orders, filed in connection with preliminary and  
16 final settlement approval proceedings will be posted on the settlement website.

17           10.      A Final Approval Hearing is set for November 10, 2021 at 9:15 a.m. in Department  
18 304 of the Superior Court of California, County of San Francisco, located at 400 McAllister  
19 Street, San Francisco, California 94102. At the Final Approval hearing, the Court will consider  
20 whether the Settlement Agreement is fair, whether Class Counsel’s for fees and costs should be  
21 approved, whether Plaintiffs’ requests for service awards should be approved, and any other  
22 matters that the Court deems appropriate.

23           11.      The following dates are set:

24           a.       Deadline for serving and filing motion for attorneys’ fees, costs, and  
25 service awards: September 1, 2021.

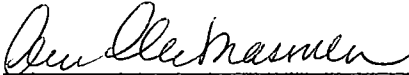
26           b.       Deadline for serving and filing Motion for Final Approval: October 19,  
27 2021.

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12. The Court may change the date of the Final Approval Hearing without further notice to the Settlement Class.

IT IS SO ORDERED.

Dated: July 19, 2021

  
\_\_\_\_\_  
Anne-Christine Massullo  
Judge Of The Superior Court

**CERTIFICATE OF ELECTRONIC SERVICE**  
(CCP 1010.6(6) & CRC 2.260(g))

I, Jose Rios Merida, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On July 19, 2021, I electronically served **THE ATTACHED DOCUMENT** via File & ServeXpress® on the recipients designated on the Transaction Receipt located on the File & ServeXpress® website.

Dated: July 19, 2021

T. Michael Yuen, Clerk

By: \_\_\_\_\_

  
J. Rios Merida,  
Deputy Clerk