

THE HONORABLE KRISTIN BALLINGER
Noted for Consideration: April 3, 2025
Without Oral Argument

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

JOSEPH LAGASSE, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

ALTA PEST CONTROL LLC, a Washington
limited liability company,

Defendant.

NO. 24-2-10137-3 SEA

[PROPOSED] ORDER GRANTING
PLAINTIFF'S UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT

WHEREAS, Plaintiff Joseph Lagasse has applied for an order preliminarily approving the settlement of this action as stated in the Settlement Agreement (attached as Exhibit 1 to the Declaration of Erika Lane in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement), which sets forth the terms and conditions for a proposed class action settlement and for dismissal of the action with prejudice upon the terms and conditions set forth therein;

WHEREAS, the Court has read and considered the Settlement Agreement, the exhibit thereto, and the briefing submitted in support of preliminary approval of the settlement and is fully advised, as well as the declarations of counsel submitted in support of Plaintiff's unopposed motion:

NOW, THEREFORE, IT IS HEREBY ORDERED:

1 Unless otherwise provided herein, all capitalized terms in this Order shall have the
2 same meaning as set forth in the Settlement Agreement.

3 1. The Court finds class certification for settlement purposes is proper. The
4 proposed Settlement Class satisfies the requirements of CR 23(a) and CR 23(b)(3). The
5 proposed class is composed of more than 130 people such that numerosity is satisfied.
6 There are common questions of law and fact regarding the class claims, including whether
7 Defendant's alleged common practices violated the law, which question would also
8 predominate over individual questions, if any, such that commonality and predominance
9 are satisfied. The claims of Plaintiff are typical of the claims of the proposed class. And
10 Plaintiff and his counsel are adequate and qualified to protect the interests of the class. For
11 these reasons, the Court certifies the following Settlement Class:

12 All current and former non-exempt employees who worked for Alta Pest in
13 Washington at any time from May 7, 2021 through November 4, 2024, as
already identified by Alta Pest.

14 2. The Court preliminarily approves the Settlement Agreement and the terms
15 set forth therein—including the relief afforded the Settlement Class, the service award to
16 the Plaintiff, the attorneys' fees and costs award to Class Counsel, and the Settlement
17 Administration expenses award—as being fair, reasonable and adequate. The Settlement
18 Agreement is the result of arm's length negotiations between experienced attorneys who
19 are familiar with class action litigation in general and with the legal and factual issues of
20 this case in particular.

21 3. The Court appoints CAC Services Group as Settlement Administrator. The
22 Court approves the Settlement Administrator to perform the functions required by the
23 terms of the Settlement Agreement. The Court also approves reasonable compensation and
24 costs to the Settlement Administrator in accordance with the Settlement Agreement.

25 4. A final fairness hearing ("Final Fairness Hearing") for purposes of
26 determining whether the Settlement should be finally approved, shall be held before the

1 Court on June 20, 2025, at 9:00 a.m. in the courtroom of the Honorable Kristin Ballinger at
2 King County Superior Court, 401 4th Ave. N, Courtroom 3G, Kent, WA 98032. At the hearing,
3 the Court will hear arguments concerning whether the proposed Settlement and the terms
4 and conditions provided for in the Settlement Agreement should be granted final approval
5 by the Court as fair, reasonable and adequate. The Court will also consider Class Counsel's
6 request for attorneys' fees and costs and for a service payment to the Class Representative,
7 and rule on any other matters that the Court deems appropriate.

8 5. The Court approves, as to form and content, the Notice of Settlement to be
9 sent to the members of the Settlement Class, which is attached to the Settlement Agreement
10 as Attachment A. In addition, the Court finds that distribution of the Notices in the manner
11 set forth in Paragraph 6 of this Order and Section 6 of the Settlement Agreement will meet
12 the requirements of due process and applicable law, will provide the best notice practicable
13 under the circumstances, and will constitute due and sufficient notice to all individuals
14 entitled thereto.

15 6. The procedure for distributing notice shall be as follows:

16 a. Within fifteen (15) business days of the date of this Order, Defendant
17 shall provide the Settlement Administrator with the name, last known address, last known
18 telephone number, last known non-work email address (if any), and social security number
19 of each Class Member.

20 b. No later than fourteen (14) days after receiving the Employee Data,
21 the Settlement Administrator shall issue notice to all Settlement Class Members ("Class
22 Notice") by regular mail, including notice by email, if applicable. The date on which Class
23 Notices are sent shall be deemed the "Initial Mailing Date."

24 c. Before mailing the Class Notices, the Settlement Administrator will
25 perform normal and customary address updates and verifications as necessary.

26 d. The Class Notice shall provide that Class Members may exclude

1 themselves from the Settlement by submitting a written request which must be
2 postmarked and received by the Settlement Administrator within forty-five (45) days from
3 the Initial Mailing Date.

4 e. If a Class Notice is returned as undeliverable with a forwarding
5 address provided by the United States Postal Service, the Settlement Administrator will
6 promptly resend the Class Notice to that forwarding address. If a Class Notice is returned
7 as undeliverable and without a forwarding address, the Settlement Administrator will
8 perform a reasonable skip trace, and if it obtains a more recent address, will resend the
9 Class Notice.

10 f. The Settlement Administrator shall also mail a Class Notice to any
11 Class Member who contacts the Settlement Administrator or one of the Parties and
12 requests a Class Notice.

13 7. Class Counsel shall timely file a motion requesting that the Court grant final
14 approval of the Settlement Agreement and enter final judgment as to Defendants in the
15 Action.

16 8. The Court reserves the right to adjourn the date of the Final Fairness Hearing
17 without further notice to the members of the Settlement Class and retains jurisdiction to
18 consider all further applications arising out of or connected with the proposed Settlement
19 Agreement.

20 9. If the Court does not enter an order finally approving the Settlement, or if the
21 Settlement does not become final for any other reason, then the action shall proceed as if
22 the Settlement Agreement had not been executed.

1 IT IS SO ORDERED.

2
3 DATED this _____ day of _____, 2025.

4
5
6
7 _____
JUDGE KRISTIN BALLINGER

8 Presented by:

9
10 **REKHI & WOLK, P.S.**

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Judicial Electronic Signature Page**

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Case Title: LAGASSE VS ALTA PEST CONTROL

Document Title: Order

Date Signed: 04/03/2025



Judge: Kristin Ballinger

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