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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

Terry P. Boyd, Ethel Joann Parks, Sonia Medina, and Linda Zanko individually, on behalf of others similarly situated, and on behalf of the general public,

Plaintiffs,

vs.

Bank of America Corp.; LandSafe, Inc.; LandSafe Appraisal Services, Inc.; and DOES 1-10, inclusive

Defendants.

Case No.: 13-CV-00561 DOC (JPRx)

**~~PROPOSED~~ ORDER GRANTING  
PLAINTIFFS' UNOPPOSED  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT [354]**

Date: September 21, 2015

Time: 8:30 a.m.

Place: Courtroom 9D, Santa Ana  
Hon. David O. Carter

The Parties came for hearing on Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement on September 21, 2015 at 8:30 a.m. in the District Court for the Central District of California, the Honorable David O. Carter presiding. The Court, having considered the papers submitted in support of the application of the Parties, HEREBY ORDERS THE FOLLOWING:

1           1. To the extent terms in this Order are defined in the Joint Stipulation for  
2 Settlement and Release of Class and Collective Action Claims of Staff Appraisers (the  
3 “Settlement Agreement”), submitted to the Court as Exhibit 1 to the Declaration of  
4 Bryan J. Schwartz, Esq., such terms shall have the same meanings in this Order as in  
5 the Settlement Agreement.

6           2. The Court grants preliminary approval of the Settlement based upon the  
7 terms set forth in the Settlement Agreement and the preliminary approval Motion, and  
8 based upon the Schwartz and Seplow Declarations in support of the agreement and  
9 related exhibits, and all of the briefing and information submitted in this case to date.  
10 The Settlement appears to be fair, adequate and reasonable to the Class.

11           3. The Settlement is supported by the recommendations of counsel and was  
12 negotiated at arms' length, and is thus presumptively valid, subject to any objections  
13 that may be raised at the final fairness hearing, and to final approval by this Court.

14           4. To comply with the Ninth Circuit’s decision in *In re Bluetooth Headset*  
15 *Litigation*, 654 F.3d 935 (9th Cir. 2011), Class Counsel will file their motion for fees  
16 and costs more than 15 days before the final approval motion deadline, on or before  
17 November 23, 2015.

18           5. A final fairness hearing on whether the proposed Settlement, attorneys’  
19 fees to Class Counsel, the Class Representative’s enhancement payment, and the *cy*  
20 *pres* recipient should be approved as fair, reasonable and adequate as to the members of  
21 the Settlement Class will be held on January 11, 2016, at 8:30 a.m., in the  
22 Courtroom of the Hon. David O. Carter, Courtroom 9D, U.S. District Court for the  
23 Central District of California, Santa Ana Division.

24           6. The Court approves, as to form and content, the Notice of Class Action  
25 Settlement to Staff Appraisers (“Notice of Settlement”) attached to the Settlement  
26 Agreement as Exhibit A. The Court approves the procedure for Class Members to  
27 participate in, opt out of, and object to the Settlement as set forth in the Notice of  
28 Settlement.

1           7.     The Court directs the mailing of the Notice of Settlement in accordance  
 2 with the Implementation Schedule set forth below. The Court finds that the dates  
 3 selected for the mailing and distribution of the Notice meet the requirements of due  
 4 process, provide the best notice practicable under the circumstances and shall constitute  
 5 due and sufficient notice to all persons entitled to notice of the proposed settlement.

6           8.     The Court appoints Kurtzman Carson Consultants (KCC) as the settlement  
 7 administrator, based on Counsel’s declaration, testifying that KCC has experience with  
 8 similar matters and offers a competitive bid, and KCC’s prior services rendered  
 9 successfully in the matter of the Review Appraiser settlement.

10          9.     The Court orders the following Implementation Schedule for further  
 11 proceedings:

13     Deadline for Defendants to provide Class data 14     to Claims Administrator	15     15 days after Court enters an order 16     granting preliminary approval.
17     Deadline for Dr. Kriegler to calculate Net Pro 18     Rata Distribution and Plaintiffs’ Counsel to 19     deliver the same to Defendants’ Counsel and 20     the Claims Administrator	21     15 days after Court enters an order 22     granting preliminary approval.
23     Deadline for Parties’ Counsel to review 24     calculations	25     7 days after receiving Net Pro Rata 26     Distribution.
27     Deadline for Claims Administrator to 28     Mail the Notice to Class Members	29     5 days after receiving approval of 30     calculations from Counsel.
31     Deadline for California Class Members to opt 32     out or serve written objections to the 33     settlement	34     60 days after Notice of Proposed 35     Class Action Settlement are mailed 36     by the Claims Administrator.
37     Deadline for Class Counsel to file fee petition.	38     15 days before the expiration of the 39     60 day period to opt out or serve 40     objections to the settlement.
41     Deadline for Class Counsel to file 42     Motion for Final Approval of Settlement, 43     Motion for Attorneys' Fees, Costs, and 44     Enhancement Award	45     5 Days after the Expiration of the 60 46     Day Period to opt out or serve 47     objections to the settlement.

1 Final Fairness Hearing and Final  
2 Approval

Approximately 120 days after  
preliminary approval:  
\_\_\_\_\_

3  
4 IT IS SO ORDERED

5  
6 DATED: September 28, 2015

7 *David O. Carter*  
8 \_\_\_\_\_  
9 HON. DAVID O. CARTER  
10 UNITED STATES DISTRICT COURT  
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