

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

HEATHER LOSCHEN, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

SHORELINE COMMUNITY COLLEGE, an
agency of the State of Washington,

Defendant.

NO. 24-2-00597-8 SEA

~~PROPOSED~~ ORDER GRANTING
PLAINTIFF'S UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL

Plaintiff, by unopposed motion has submitted a proposed Class Action Settlement Agreement ("Settlement Agreement") to the Court for review. Having reviewed the Settlement Agreement and Plaintiff's motion and supporting declarations, the Court FINDS, CONCLUDES, and ORDERS as follows:

1. The Court concludes that the Settlement Agreement is the result of arms-length negotiations between the parties after contested litigation. The Settlement Agreement has no obvious defects and is within the range of possible settlement approval, such that the terms are reasonable and notice to the Class is appropriate. Capitalized terms appearing in this Order have the same meaning as used in the Settlement Agreement.

2. The proposed notices will be issued in a manner reasonably calculated to satisfy due process, and will be disseminated via mail to all Settlement Class Members for which it has mailing addresses, and posted at the settlement website that is to be established by the Settlement Administrator, examples of which are attached to the Settlement Agreement and are sufficient in detail to provide sufficient notice of the Settlement Agreement to the Settlement

1 Class. The proposed plan of distribution of the notice through mail, and the establishment of a
2 website, are likewise sufficient.

3 3. The forms of Notice fairly, plainly, accurately, and reasonably inform
4 Settlement Class members of: (1) appropriate information about the nature of this litigation, the
5 Settlement, the Settlement Class definition, the identity of Class Counsel, and the essential
6 terms of the Settlement; (2) appropriate information about Class Counsel's forthcoming
7 application for attorneys' fees and the proposed incentive award to the Settlement Class
8 Representative; (3) appropriate information about how to participate in the Settlement; (4)
9 appropriate information about this Court's procedures for final approval of the Settlement, and
10 about Settlement Class Members' right to appear through counsel if they desire; (5) appropriate
11 information about how to challenge or opt-out of the Settlement, if they wish to do so; and (6)
12 appropriate instructions as to how to obtain additional information regarding this litigation and
13 the Settlement. In addition, pursuant to CR 23(c)(2)(B), the Notices inform Settlement Class
14 Members that any Settlement Class Member who fails to opt-out will be prohibited from
15 bringing a lawsuit against Defendant and certain entities related to Defendant based on or
16 related to any of the claims asserted by Plaintiff.

17 4. The Court finds that the factors of CR 23(a) are satisfied here. The proposed
18 Settlement Class includes all individuals whose Private Information was impacted by the SCC
19 Data Breach, which encompasses approximately 400,000 individuals, and joinder is therefore
20 impracticable. The claims asserted by the Plaintiff are both common and typical of the claims
21 of the class members. The Court finds no conflict of interest present among Class Counsel or
22 Plaintiff with the Settlement Class. In addition, the Court finds that the factors of CR 23(b) are
23 also satisfied. The Court finds both factual questions and legal issues that are common to the
24 Plaintiff's claims and the Settlement Class that predominate over any individualized issues.
25 Certification of the Settlement Class for settlement purposes is superior to piecemeal litigation
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1 of the Plaintiff's and Settlement Class Members' claims. The Court therefore certifies as the
2 Settlement Class the following:

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4 All U.S. residents whose Personal Information was compromised in the data
5 breach disclosed by Shoreline Community College ("Shoreline" or
6 "Defendant"), on or about April 5, 2023. All members of the Settlement Class
7 that do not opt-out of the settlement shall be referred to as Settlement Class
8 Members.

9 5. The Court appoints Kaleigh N. Boyd and Joan M. Pradhan of Tousley Brain
10 Stephens, PLLC as Settlement Class Counsel.

11 6. The Court appoints Heather Loschen as Settlement Class Representative.

12 7. The Court appoints CPT Group as the Settlement Administrator in accordance
13 with the terms of the Settlement Agreement, and finds, based on the Declaration of Julie Green,
14 that CPT Group has sufficient knowledge, skill, and expertise to effectively distribute the
15 Notice and to handle the administration of claims to be submitted by the Settlement Class. The
16 Settlement Administrator shall distribute Notice to the Settlement Class as provided by the
17 Settlement Agreement.

18 8. As soon as practicable following the date of entry of this Order, the Settlement
19 Administrator shall establish a settlement website for the posting of Notice and the Claim Form
20 as provided in the Settlement Agreement. A copy of this Order, the complaint, Class Counsel's
21 fee application, the Settlement Agreement, and Plaintiff's Motion for Preliminary Approval of
22 the Settlement shall also be posted on the settlement website. Additional filings in the case may
23 be posted on the site at the request of one or more of the parties.

24 9. Within 30 days of the date of entry of this Order, the Settlement Administrator
25 shall have sent and made available the Notices substantially in the form specified in the
26 Settlement Agreement.
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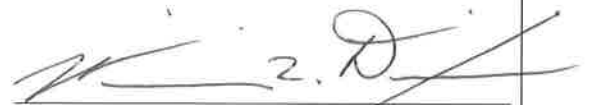
1 10. Class Counsel shall file their motions for Final Approval and for attorneys' fees,
2 costs, and class representative service awards at least 14 days before the Objections/Opt-Out
3 Deadlines.

4 11. The Final Approval Hearing is scheduled for 9:00 a.m on January 24, 2025, at
5 the King County Superior Courthouse, 401 4th Ave. N, Room 2D, Kent WA 98032. Class
6 Counsel and/or Defendant may file a reply to any objections to the Settlement Agreement or
7 opposition to Class Counsel's fee request no later than seven days before the Final Approval
8 Hearing.

9 12. All Notice required by this Order and Settlement Agreement shall notify the
10 Class of the Objection/Opt-Out Deadline, which shall be the date which is the 60th day after
11 the date the Settlement Administrator has sent Notice.

12 13. All Notice required by this Order and the Settlement Agreement, as well as the
13 Claim Form, shall notify the Class of the Claims deadline, which shall be 90 days from the date
14 Notice is sent.

15 DATED this 4th December day of ~~October~~, 2024.

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20 The Honorable William Dixon
King County Superior Court Judge

21 Presented by:

22 TOUSLEY BRAIN STEPHENS PLLC

23
24 By: /s/ *Kaleigh N. Boyd*
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2 *Attorneys for Plaintiffs*

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1 CERTIFICATE OF SERVICE

2 I, Madison R. Peterson, declare and say that I am a citizen of the United States and
3 resident of the state of Washington, over the age of 18 years, not a party to the above-entitled
4 action, and am competent to be a witness herein. My business address and telephone number are
5 1200 Fifth Avenue, Suite 1700, Seattle, Washington 98101, telephone 206.682.5600.

6 On October 11, 2024, I caused to be served the foregoing document on the individual
7 named below via King County E-Service:

8 BAKER & HOSTETLER LLP
9 Paul Bruene, WSBA # 52727
10 999 Third Avenue, Suite 3900
11 Seattle, WA 98104
12 pbruene@bakerlaw.com

13 *Special Assistant Attorney General*
14 *Representing Defendant Shoreline Community College*

15 I declare under penalty of perjury under the laws of the state of Washington and the
16 United States that the foregoing is true and correct.

17 Executed this 11th day of October, 2024, at Seattle, Washington.

18 /s/ Madison R. Peterson
19 Madison R. Peterson, Legal Assistant