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The Honorable James E. Rogers
Hearing Date: September 20, 2024
Hearing Time: 2:00 p.m.

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

CALEB OLTMANN, individually and on
behalf of all those similarly situated,

Plaintiff,


v.

HIGHLAND ARMS ENTERPRISES INC.
d/b/a PRECISION GARAGE DOOR
SERVICE, a Washington Corporation,

Defendant.

No. 23-2-14774-0 SEA

REVISED [~~PROPOSED~~] ORDER
GRANTING FINAL APPROVAL OF
CLASS ACTION SETTLEMENT AND
DISMISSING CASE WITH
PREJUDICE

DISMISSAL: on 10/21/24 

[CLERK'S ACTION REQUIRED]

This matter comes before the Court on Plaintiff's Unopposed Motion for Final Approval of Class Action Settlement. The Court has reviewed the papers filed in connection with the Motion, as well as the records previously submitted by the parties in connection with the Settlement and has held a Final Settlement Approval Hearing on September 20, 2024. The Court hereby GRANTS the Motion for Final Approval of a Class Action Settlement and ORDERS as follows:

1. The Court's Order Granting Preliminary Approval of Class-Wide Settlement on March 26, 2024 ("Preliminary Approval Order") is incorporated herein by reference.



1 2. The Court has jurisdiction over the subject matter of this action and the parties,
2 including Members of the Settlement Class.

3 3. The Court grants final certification of the Settlement Class conditionally certified
4 in the Preliminary Approval Order on the same grounds stated in that Order.

5 4. The Court approves the Settlement, finding that it is fair, reasonable, and adequate
6 to Members of the Settlement Class for the reasons set forth in Plaintiff's unopposed motions
7 for preliminary and final approval.

8 5. The Court finds that the Notices mailed to 83 class members at their last known
9 addresses provides the best notice practicable under the circumstances and that the Notice was
10 mailed in accordance with the Court's Preliminary Approval Order and the parties' Settlement
11 Agreement.
12

13 6. The Court further finds that the Notices emailed to the two additional class
14 members as set forth in the Halm Declaration is reasonable under the circumstances and that,
15 by staying the effective date of this order by thirty (30) days, such individuals will have an
16 opportunity to exercise their rights.
17

18 7. The Court finds that Plaintiff Caleb Oltmanns and Class Counsel adequately
19 represented the Class for purposes of entering into and implementing the Settlement.

20 8. The Court finds that Class Counsel's request for an award of attorneys' fees and
21 costs is fair and reasonable, and hereby approves the request for an attorneys' fee award of
22 \$142,500.00 plus costs of \$3,535.87 incurred by Class Counsel and \$9,200.00 incurred by the
23 parties' third-party settlement administrator, all to be paid from the Gross Settlement Fund.
24

25 9. The Court approves a service award of \$10,000 to Mr. Oltmanns to be paid
26 from the Gross Settlement Fund.

1 10. The parties and the third party administrator are hereby directed to proceed with
2 the settlement payment procedures specified under the terms of the Settlement Agreement.

3 11. Plaintiff and Members of the Settlement Class are enjoined from maintaining,
4 prosecuting, commencing, or pursuing any claim released under Paragraphs 1(q) and 2 of the
5 Settlement Agreement, and are deemed to have released and discharged the Defendant from
6 any such claims.

7 12. The Court reserves jurisdiction over the parties as to all matters relating to the
8 administration, enforcement, and interpretation of the Settlement Agreement, and for any other
9 necessary purposes.

10 13. The parties are authorized, without further approval from the Court, to mutually
11 agree to and adopt any technical or process amendments or modifications to the Settlement
12 Agreement provided such changes are: (i) consistent with this Order, (ii) consistent with the
13 intent of the Settlement Agreement, and (iii) do not limit any substantive rights of the Settlement
14 Class.


15 14. In the event the Settlement does not become effective for any reason, this Order
16 shall be rendered null and void and shall be vacated and, in such event, all orders entered in
17 connection therewith shall be vacated and rendered null and void.

18 15. The Court DISMISSES this action and any and all settled claims with prejudice
19 and without costs or attorneys' fees to any party except as provided under the terms of the
20 Settlement Agreement and this Order.

21 16. This case is hereby DISMISSED with prejudice, *on 10/21, 2024.*

22 17. This order will not take effect until THIRTY (30) DAYS after it is entered by
23 the Court, *on October 21, 2024.*

IT IS SO ORDERED this 20 day of September, 2024.


The Honorable James E. Rogers
King County Superior Court Judge

Presented by:

SCHROETER GOLDMARK & BENDER

s/ Lindsay Halm

LINDSAY L. HALM, WSBA #37141

ANDREW D. BOES, WSBA #58508

ADAM J. BERGER, WSBA #20714

Counsel for Plaintiff

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