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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

JUSTIN SPANGLER and TRAVIS  
LEIGHTON, individually and on behalf  
of all those similarly situated,

Plaintiffs,

vs.

NATIONAL COLLEGE OF  
TECHNICAL INSTRUCTION,  
AMERICAN MEDICAL RESPONSE,  
INC., a Delaware Corporation,  
ENVISION HEALTHCARE  
CORPORATION, a Delaware  
Corporation, ENVISION  
HEALTHCARE HOLDINGS, INC., a  
Delaware Corporation, and DOES 1  
through 1000,

Defendants.

Case No. 3:14-cv-03005-DMS-RBB

**ORDER GRANTING  
PRELIMINARY APPROVAL OF  
SETTLEMENT**

Judge: Hon. Dana M. Sabraw

Complaint filed: November 14, 2014  
Removed: December 23, 2014

1           Upon consideration of the Unopposed Motion for Preliminary Approval of  
2 Settlement, and the arguments, pleadings, and evidence presented, IT IS HEREBY  
3 ORDERED that the Motion is GRANTED. The Court finds that the proposed  
4 settlement falls “within the range of possible approval, such that it is worthwhile to give  
5 the class notice of the settlement and proceed with a formal fairness hearing.” *Kline v.*  
6 *Dymatize Enterprises, LLC*, No. 15-CV-2348-AJB-RBB, 2016 WL 6026330, at \*2  
7 (S.D. Cal. Oct. 13, 2016). Accordingly, the Court further ORDERS that:

8           • In accordance with the agreement of the Parties as expressed at the hearing  
9 regarding this Motion, Garden City Group, LLC is appointed as Settlement  
10 Administrator for the purposes of this Settlement.

11           • The Class Notice submitted by Plaintiffs is approved, subject to one addition. In  
12 Paragraph 11, entitled “What am I giving up in exchange for the settlement benefits?”  
13 the following language shall be added: “The Favorable Treatment claim is subject to a  
14 four-year limitation period, after which all claims are time-barred. That four-year time  
15 limitation has been tolled, or paused, since this lawsuit was filed on November 14,  
16 2014. The time period will begin to run again if and when a final judgment is issued  
17 and the deadline to appeal has passed or all appeals have been resolved. If the harm for  
18 your Favorable Treatment claim was incurred close to the four-year limit prior to  
19 November 14, 2014, you may have to act quickly once the judgment is final to avoid  
20 your claim being time barred. Moreover, if you incurred harm pursuant to that claim  
21 more than four years prior to the filing of this case, or specifically before November 14,  
22 2010, you may be unable to bring a separate action regarding the Favorable Treatment  
23 misrepresentations, as this lawsuit and its Settlement could not preserve those time-  
24 barred claims in any event.”

25           • Within 30 calendar days from this Order, Class Notice of the Settlement will be  
26 mailed.

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- 1 • The deadline for Class Members to file a Notice of Intent to Appear at the Final
- 2 Approval Hearing, to file objections to the Settlement, or to opt out of the Settlement
- 3 will be 45 days from the mailing of Class Notice.
- 4 • The deadline for Filing of a Motion for Final Approval will be 95 calendar days
- 5 from the mailing of Class Notice.
- 6 • The deadline for the Settlement Administrator to accept, deny, or send to
- 7 arbitration claims pursuant to Paragraphs III.A.10, III.B.8-9 and III.C.5 of the
- 8 Settlement shall be 30 calendar days from the receipt of the last required evidentiary
- 9 response under Paragraph III.A.7-8, III.B.7-8, or III.C.4-5, or 30 calendar days from the
- 10 passing of any of the required deadlines in those paragraphs without receipt of the
- 11 required evidentiary response, whichever comes first.
- 12 • The Final Approval Hearing is scheduled for **September 8, 2017, at 1:30 p.m.**

13 **IT IS SO ORDERED.**

14 Dated: March 28, 2017



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16 Hon. Dana M. Sabraw  
17 United States District Judge