JOSIE DELVIN
BENTON COUNTY CLERK
Trial Date: 11/16/2026
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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF BENTON

DEMAREST SCHOEPPNER, Individually and On Behalf of All Others Similarly Situated, Plaintiff, v. RCCH TRIOS HEALTH, LLC, a foreign limited liability company; and DOES 1-20, Defendant.	Case No. 25-2-03310-03 ~~[PROPOSED]~~ **ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT & CONDITIONAL CLASS CERTIFICATION** **Date: October 9, 2026** **Time: 10:00 a.m.** **Transferred Date: November 18, 2025** **Date Action filed: January 28, 2025** **Trial Date: November 16, 2026**

The Motion for Preliminary Approval of Class Action Settlement filed by Plaintiff Demarest Schoeppner ("Plaintiff") came for hearing in the above-captioned court. Defendant RCCH Trios Health, LLC ("Defendant") does not oppose the motion.

In the Complaint, Plaintiff alleges that Defendant violated Washington wage and hour laws with respect to a group of approximately 334 current and former hourly, non-exempt patient care workers employed by Defendant. Throughout the relevant period, Plaintiff alleges that Defendant violated Washington labor laws due to systematically and improperly failing to pay their patient care workers for all hours worked, including during on-duty unpaid meal breaks and for pre-and post-shift

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off-the-clock work.

After about a year of litigation, including formal and informal discovery, the Parties voluntarily engaged in private mediation with mediator Michael L. Russell. On January 26, 2026, the day of mediation, the Parties reached a global settlement that resolves all the claims in the action as to the Class Members. Following extensive negotiation and drafting, the Parties executed a Class Action Settlement Agreement July 28, 2026.

A hearing was held before this Court on October 9, 2026 for the purpose of determining whether this Court should preliminarily approve the proposed Settlement, if the Notices of the Settlement to the Class are appropriate, and whether a formal fairness or final approval hearing should be scheduled. Appearing at the hearing was Schneider Wallace Cottrell Kim LLP and Emery Reddy, PLLC for the Plaintiff and Class Members.

Having reviewed the papers and documents presented, having heard the statements of counsel, and having considered the matter, the Court HEREBY ORDERS as follows:

1. All terms used herein shall have the same meaning as defined in the Settlement.

2. The Court hereby GRANTS preliminary approval of the terms and conditions contained in the Settlement, attached hereto as **Exhibit 1**. The Court preliminary finds the terms of the Settlement to be fair, reasonable, and adequate, pursuant to Civil Rule 23 and applicable law.

3. The Court finds on a preliminary basis that: (1) the settlement amount is fair, reasonable, and adequate as to the Class Members when balanced against the probable outcome of further litigation relating to class certification, liability, and damages issues; (2) significant discovery, investigation, research, and litigation have been conducted such that counsel for the Parties at this time are able to reasonably evaluate their respective positions; (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented by the further prosecution of the litigation; and (4) the proposed Settlement has been reached as the result of intensive, serious, and non-collusive negotiations between the Parties. Accordingly, the Court preliminarily finds the Settlement was entered into in good faith.

4. The Court hereby GRANTS conditional certification of the Class in accordance with the Settlement and for the purposes of this Settlement only. The Class is defined as: all persons who

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are or who have been employed by Defendant as nursing staff, nurse aides, nurse assistants, and other similar hourly and non-exempt employees who provide direct patient care in the State of Washington from January 28, 2022 to the date of preliminary approval of the class action settlement, and whose wage and hour claims were not released in the *Kurtz v. RCCH Trios Health, LLC, et al.*, No. 4:19-cv-05049-SMJ (E.D. Wa.) settlement in one or more of the job classifications in the table below:

Job Title
Anesthesia Tech/Cell Save
Anesthesia Technician
ARNP
Case Manager
Certified Nurse Aide CNA
CT Tech (Non-Union)
CT Technologist
Diabetic & Nutrition Educ
Dietitian - Registered
Echo Tech
EEG/EPT
Endo Center VF - GI Tech
GI Technician
Mammography Technician
Medical Assistant - Certi
Medical Assistant - Regis
Medical Assistant, Certified
MRI Technician
Nuclear Medicine Tech
Nuclear Medicine Technolo
Nuclear Medicine Technologist
Nurse Assistant, Certified
Nurse Tech I
Nurse Technician II
Nursing Assistant - Certi
OB Scrub Tech
OB Scrub Tech/Unit Secret
Occupational Therapist
Occupational Therapist NonExempt
Patient Care Tech
Patient Care Technician
Pharmacy Tech
Pharmacy Technician
Phlebotomist

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Physical Therapist
Physical Therapist NonExempt
Physical Therapy Assistan
Physical Therapy Assistant, Licensed LPTA
Rad Tech - Non-Certified
Rad/Med Lab Tech - Clinic
Radiology - Rad/CT Techno
Radiology Technician
Radiology Technologist
Registered Nurse, Cath Lab
Registered Nurse, Emergency Services
Registered Nurse, House Supervisor NonExempt
Registered Nurse, ICU
Registered Nurse, Infusion
Registered Nurse, Medical-Surgical
Registered Nurse, NICU
Registered Nurse, Nursery
Registered Nurse, PACU
Registered Nurse, Progressive Care
Registered Nurse, Surgery
Registered Nurse, Womens Services
Respiratory Therapist - C
Respiratory Therapist - R
RN
RN - Per Diem
Rn Critcare Staff
RN-Inpatient LCC
Sitter
Ultrasound Technician

5. The Court further finds that (a) the Class is sufficiently numerous that joinder of all members is impracticable, (b) there are questions of law and fact common to the Class for purposes of settlement, (c) for settlement purposes, Plaintiff's claims are typical of the claims of the Class, and Plaintiff and Class Counsel will fairly and adequately protect the interests of the Settlement Class, and (d) certification of the Settlement Class under CR 23(b)(3) is appropriate for purposes of settlement because questions of law and fact common to the Settlement Class Members predominate over questions affecting individual members, and a class action is superior to other available means for the

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fair and efficient resolution of this controversy.

6. The Court hereby authorizes the retention of Apex Class Action Administration as Settlement Administrator for the purpose of the Settlement, with reasonable administration costs estimated not to exceed $7,690.00. To the extent the Settlement Administrator's expenses, which are documented and approved by the Court, are less than $7,690.00, the remainder will be retained in the Settlement Class Net Settlement Fund for distribution to Class Members.

7. The Court hereby conditionally appoints Schneider Wallace Cottrell Kim LLP and Emery Reddy, PLLC as Class Counsel, and the Court hereby conditionally appoints Plaintiff Schoeppner as the Class Representative.

8. The Court hereby APPROVES the Notice of Settlement attached to the Settlement as **Exhibit A**. The Court finds the Notice of Settlement, along with the related notification procedure contemplated by the Settlement, constitutes the best notice practicable under the circumstances and is in full compliance with the applicable laws and the requirements of due process. The Court further finds the Notice of Settlement appears to fully and accurately inform the Class Members of all material elements of the proposed Settlement, of their right to be excluded from the Settlement, and of their right and opportunity to object to the Settlement.

9. The Court hereby authorizes dissemination of the Notice of Settlement to the Class Members. Subject to the terms of the Settlement, no later than 21 days after this Order is entered, granting preliminary approval of the Settlement, Defendant will provide the Settlement Administrator with an electronic database containing each Class member's Settlement Class Data, as defined in the Settlement. Within 14 days after receiving the Settlement Class data, the Settlement Administrator shall mail the Notice of Settlement to all Class Members via first-class regular U.S. Mail, using the mailing address information provided by Defendant, unless modified by any updated address information that the Settlement Administrator obtains in the course of administration of the Settlement. The Parties are authorized to make non-substantive changes to the proposed Notice of Settlement that are consistent with the terms of the Settlement and this Order.

10. The Court hereby APPROVES the proposed procedure for Class Members to request

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exclusion from the Settlement, which is to mail to the Settlement Administrator a signed Request for Exclusion during the period permitted under the Settlement. Any Class Member who submits a valid Request for Exclusion shall not be a member of the Class, shall receive no benefit from the Settlement, will not be bound by the Settlement or judgment, shall not be permitted to file objections to the Settlement, and will be barred from appearing at the Final Approval Hearing to voice any objections to the Settlement.

11. The Court preliminarily APPROVES Plaintiff's request for an award of attorneys' fees in the amount of one-third of the Gross Settlement Amount and a Class Representative service award of $10,000. The Court ORDERS that Plaintiff's counsel shall file a motion for approval of the fee and cost award, and of the service award to the Class Representative, with the appropriate declarations and supporting evidence, to be heard at the same time as the motion for final approval of the Settlement.

12. The Court ORDERS that Plaintiff's counsel shall file a motion for final approval of the Settlement, with the appropriate declarations and supporting evidence at least 30 days before the Final Approval Hearing.

13. The Court ORDERS that each Class Member shall be given a full opportunity to object to the proposed Settlement and request for attorneys' fees, and to participate at a Final Approval Hearing, which is to commence in this Court on February 12, 2027 (no earlier than 30 days after the deadline to object to the Settlement). Any member of the Class seeking to object to the proposed Settlement may file such objection in writing with the Court and shall serve such objection on Plaintiff's counsel and Defendant's counsel.

14. The Court further ORDERS that in the event it is determined that the actual number of employees exceeds Defendant's estimated 334 Class Members by more than ten percent (10%) during the Settlement Class Period (i.e., 34 or more Class Members), Defendant will have the option of either: (a) increasing the Gross Settlement Amount proportionally; or (b) shortening the release period so that no increase of the Gross Settlement Amount is required.

15. The Court further ORDERS that in the event that ten percent (10%) or more of the Settlement Class Members (i.e., 34 or more Settlement Class Members) timely submit valid Requests

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for Exclusion, Defendant will have the right, but not the obligation, and the sole and absolute discretion to rescind or void the Settlement and the Parties will have no further obligations under the Settlement, including any obligation by Defendant to pay the Gross Settlement Amount, or any amounts that otherwise would have been owed under this Agreement. The Settlement Administration Expenses incurred as of the date that Defendant exercises the right to void the Settlement will be paid by Defendant. Defendant will notify Settlement Class Counsel and the Court whether it is exercising this right to void not later than 15 days after the Settlement Administrator notifies the Parties of the number of valid Requests for Exclusion it has received.

16. Accordingly, GOOD CAUSE APPEARING, the Court hereby APPROVES the proposed Notice of Settlement and adopts the following dates and deadlines:

Date of preliminary approval of the Settlement as to the Class	TBD
Deadline for Defendant to provide Apex Class Action Administration with the Class Data (Settlement, ¶ III.E.2.a)	No later than 21 days after preliminary approval.
Deadline for Apex Class Action Administration to mail the Class Notice Packet to Class Members (Settlement, ¶ III.E.2.b)	No later than 14 days after receiving the Class Data.
Deadline for Apex Class Action Administration to search for current address and remail Notice Packet (Settlement, ¶ III.E.2.c)	Not longer than three days from receipt of a returned Notice Packet.
Deadline for Class Members to postmark objections to the settlement, disputes as to workweeks, and requests for exclusion (Settlement, ¶ III.E.3)	No later than 30 days after the Settlement Administrator mails the Notice Packet.
Deadline for Apex Class Action Administration to provide the parties with a list of all Participating Class Members and Non-Participating Class Members (Settlement, ¶ III.E.3.d)	Not later than ten days after the deadline for objections, disputes, and requests for exclusion.
Deadline for Apex Class Action Administration to provide the Parties with a Declaration of Due Diligence (Settlement, ¶ III.E.2.e)	Not later than ten days before the date by which Plaintiff files the Motion for Final Approval.
Final Approval Hearing (Settlement, ¶ III.E.6)	Plaintiff requests the Court schedule the

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	Final Approval Hearing no earlier than 30 days after the deadline for objections, disputes, and requests for exclusion.
Effective Date (Settlement, ¶¶ I.M, I.N)	The date by which all the following have occurred: (1) the Court approves the Settlement Agreement; and (2) the Judgment becomes Final. Final means the last of the following dates, as applicable: (1) if no objection to the Settlement is made, the date after the Agreement is approved by the Court; (2) if an objection to the Settlement is made and Judgment is entered but no appeal is filed, the day after the last date on which a notice of appeal from the Judgment may be filed and none is filed; (3) if Judgment is entered and a timely appeal from the Judgment is filed, the date the Judgment is affirmed and is no longer subject to appeal.
Deadline for Defendant to pay the Gross Settlement Amount and Defendant's share of payroll taxes into the Qualified Settlement Account (Settlement, ¶ III.E.9)	Within ten business days of Effective Date.
Deadline for Apex Class Action Administration to make payments under the Settlement to Participating Individuals, Class Representative, Plaintiffs' counsel, and itself (Settlement, ¶ III.E.9)	Within three days after Defendant funds the Gross Settlement Amount.
Check-cashing deadline (Settlement, ¶ III.E.11)	180 days after mailing.
Apex Class Action Administration to send a reminder for settlement checks that remain uncashed (Settlement, ¶ III.E.11)	If uncashed within 120 days after mailing, notice that the check will expire and become non-negotiable in the next 60 days.
Deadline for Apex Class Action Administration to serve and file its Final Report (Settlement, ¶ III.E.13)	Within ten days after final disbursement of all funds.

17. The Court further ORDERS that, pending further order of this Court, all proceedings in the Action, except those contemplated herein and in the Settlement, are stayed and all deadlines are vacated.

18. If for any reason the Court does not execute and file a Final Approval Order and

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Judgment, the proposed Settlement subject to this Order and all evidence and proceedings had in connection with the Settlement shall be null and void.

19. The Court may, for good cause, extend any of the deadlines set forth in this Order or adjourn or continue the final approval hearing without further notice to the Class.

IT IS SO ORDERED.

Dated: 10/9/2026

HON. ~~QUINN J. BELL~~ Bronson Brown
Benton County Superior Court ~~Judge~~ Judge
BRONSON J. BROWN

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