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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARLIN MCCLURE, an individual, for
himself and those similarly situated,

Plaintiff,

v.

WAVELAND SERVICES, INC.,
a Louisiana corporation doing business in
California; and DOES 1 through 100,
inclusive,

Defendants.

Case No. 2:18-cv-01726-KJM-AC

PUTATIVE CLASS ACTION

**ORDER AMENDING ORDER OF
MAY 26, 2021**

Hon. Kimberly J. Mueller

The court having considered the Parties' Joint Stipulation Regarding Amendment to The
Notice Of FLSA Collective Action Settlement,

IT IS THEREFORE ORDERED that the court's order of May 26, 2021 is AMENDED as
follows:

1. The fifth sentence of paragraph 81 of the Stipulation of Settlement shall be substituted as,
"Any checks for the Individual Settlement Payments that remain uncashed after 90 days will be voided
and, if the total amount of such unclaimed funds exceeds \$20,000.00, their amounts will be allocated
pro rata in a second allocation to participating Class members who cashed their initial checks ("Second
Distribution"), such that uncashed FLSA checks will be distributed to FLSA Class Members who cashed

1 their initial check, and uncashed checks from California claims will be distributed among California
2 Class Members who cashed their initial check."

3 2. The Notice of FLSA Collective Action attached to the Joint Stipulation Regarding
4 Amendment To The Notice Of FLSA Collective Action Settlement as Exhibit "A," *see* ECF No. 68, is
5 approved for distribution by the claims administrator, instead of the notice previously filed with the
6 court as Exhibit 5 to the declaration of Andrew C. Ellison in support of the Motion For Preliminary
7 Approval Of Stipulation Of Class And Collective Action Settlement, PAGA Settlement And Release.

8 3. The Final Approval Hearing is set for October 8, 2021 at 10:00 a.m. and dependent dates are
9 advanced as follows:

10 June 24, 2021: Class Data due to Settlement Administrator

11 July 8, 2021: Settlement Administrator to Mail California and/or FLSA Notice Packets

12 August 23, 2021: 45-day Notice Period Ends

13 August 30, 2021: Filing Deadline for Motion for Final Approval of Settlement and Motion

14 for Fees and Costs

15 **IT IS SO ORDERED.**

16 DATED: June 18, 2021.

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CHIEF UNITED STATES DISTRICT JUDGE