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8 dba Hearst Commons

9
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF ALAMEDA

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13 ALAN WOFSY & ASSOCIATES, a
California corporation (dba Hearst Commons)
14 on behalf of itself and all others similarly
situated,

15 Plaintiff,

16 v.

17
18 CITY OF BERKELEY and BERKELEY
RENT STABILIZATION BOARD,

19 Defendants.
20

FILED
Superior Court of California
County of Alameda

01/09/2025

Clad File, Exec the Officer/Clerk of the Court

By: *V. Garcia* Deputy
V. Garcia

Case No. 23CV043503

ASSIGNED FOR ALL PURPOSES TO:
JUDGE BRAD SELIGMAN
DEPARTMENT 22

~~PROPOSED~~ ORDER GRANTING
JOINT CLASS NOTICE PLAN

Action Filed: September 11, 2023
Trial Date: April 7, 2025

1 Plaintiff Alan Wofsy & Associates (“Plaintiff”) and Defendant Berkeley Rent Stabilization
2 Board (the “Board”) (collectively, the “Parties”) proposed Notice Plan came on for a hearing
3 before this Court on November 26, 2024. After full consideration of the matter, and good cause
4 appearing, **IT IS HEREBY ORDERED THAT:**

- 5 • The Court appoints Settlement Services (“SSI”) as the class Administrator.
- 6 • The Court approves the form of the notices reflected in the proposed Short-Form
7 Notice and Long-Form Notice.
- 8 • The Board shall provide Plaintiff and the Administrator with a list of the identities
9 and addresses of each unit holder that is part of the class as soon as practicable, and
10 no later than 14 days upon entry of this Order.
- 11 • After receipt of the above class member information, the Administrator shall mail
12 out the Short Form Notice as a postcard to each class member. Prior to mailing any
13 Short Form Notice, the Administrator shall verify the provided addresses by using
14 the United States Postal Service’s (“USPS”) NCOA database of registered
15 addresses, and update any addresses based on the information provided by the
16 USPS.
- 17 • The Administrator shall mail out all Short Form Notices no later than 21 days after
18 receipt of the identities and addresses of each class member. If any Short Form
19 Notices were delivered to the incorrect address, the Administrator shall have a
20 further, 14-day extension to re-mail any notices. If any notices are returned as
21 undeliverable or without a forwarding address, the Administrator shall use a search
22 tool like LexisNexis to attempt to locate any class members’ updated address for
23 re-mailing.
- 24 • As soon as practicable, and within 21 days after entry of this Order, the
25 Administrator shall make available a public website with information contained in
26 the Long Form Notice.
- 27 • Class members may opt out of the class after receiving the Short Form Notice. Any
28 opt-out requests must be registered with the Administrator no later than 30 calendar

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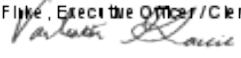
days after the Administrator completes the process of mailing out their respective Short Form Notices. For class members whose notices were re-mailed, this 30-day opt-out deadline shall not begin until after the Administrator completes the process of re-mailing out their respective Short-Form Notices.

IT IS SO ORDERED



Dated: 01/09/2025

Hon. Brad Seligman
Judge of the Superior Court of California, County of San Francisco
Brad Seligman / Judge

SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	FILED Superior Court of California County of Alameda 01/09/2025
PLAINTIFF/PETITIONER: Alan Wofsy & Associates, a California corporation	Chad Finke, Executive Officer / Clerk of the Court By:  Deputy
DEFENDANT/RESPONDENT: City of Berkeley et al	V. Garcia
CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6	CASE NUMBER: 23CV043503

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Order [Proposed] Order re Joint Class Notice Plan entered herein upon each party or counsel of record in the above entitled action, by electronically serving the document(s) from my place of business, in accordance with standard court practices.

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Dated: 01/09/2025

Chad Finke, Executive Officer / Clerk of the Court

By:



V. Garcia, Deputy Clerk