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

MICHAEL BOUVY,

Plaintiff,

v.

ANALOG DEVICES, INC., a
Massachusetts company, as successor
to LINEAR TECHNOLOGY
CORPORATION; LINEAR
TECHNOLOGY LLC, a Delaware
company; LINEAR TECHNOLOGY
ADMINISTRATIVE COMMITTEE;
and DOE DEFENDANTS 1 – 20;

Defendants.

Case No.: 19-cv-00881-DMS BLM

**ORDER CERTIFYING
SETTLEMENT CLASS,
PRELIMINARILY APPROVING
SETTLEMENT AGREEMENT, &
APPROVING CLASS NOTICE**

1 This matter comes before the Court on Plaintiff’s Unopposed Motion for and
2 Memorandum in Support of Preliminary Approval of Class Action Settlement (the
3 “Motion”). The Court has reviewed in detail and considered the Motion and
4 memorandum in support of the Motion, the Class Action Settlement Agreement
5 (“Settlement Agreement”) between Plaintiff Michael Bouvy and Defendants Analog
6 Devices, Inc., Linear Technology Corporation, Linear Technology LLC and Linear
7 Technology Administrative Committee (collectively “Defendants,” and together, the
8 “Parties”), and all other papers that have been filed with the Court related to the
9 Settlement Agreement, including all exhibits and attachments to the Motion and the
10 Settlement Agreement.

11 NOW THEREFORE, IT IS HEREBY ORDERED:

12 1. Capitalized terms used in this Order that are not otherwise defined herein
13 have the same meaning assigned to them as in the Settlement Agreement.

14 2. The terms of the Settlement Agreement are preliminarily approved as fair,
15 reasonable, and adequate. There is good cause to find that the Settlement Agreement
16 was negotiated at arms-length between the Parties, who were represented by
17 experienced class action counsel familiar with the legal and factual issues of this case,
18 and was reached with the assistance of Magistrate Judge Barbara Lynn Major.

19 3. The Court certifies, for settlement purposes only, the following Settlement
20 Class pursuant to Rule 23(b)(1) of the Federal Rules of Civil Procedure:

21 All persons who participated in the Plan at any point from May 6, 2013
22 until January 18, 2019, the effective date in which the Plan was merged
23 into and with the TIP Plan, including any Beneficiary and/or Alternative
24 Payee. Excluded from the Settlement Class are (a) any Judge or Magistrate
presiding over this Action and members of their families; (b) Defendants
and their beneficiaries; and (c) the legal representatives, successors, heirs
or assignees of any such excluded persons.

25 4. The Court finds, subject to the Final Approval Hearing referred to below,
26 that the Settlement Agreement is fundamentally fair, adequate, and reasonable, and, for
27 the purposes of settlement only, that the Settlement Class satisfies the requirements of
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1 Rule 23 of the Federal Rules of Civil Procedure, specifically, that: the Settlement Class
2 is so numerous that joinder of all members is impracticable; there are questions of fact
3 and law common to the Settlement Class; prosecuting separate actions by individual
4 Settlement Class Members would create a risk of inconsistent or varying adjudications
5 with respect to individual Settlement Class Members that would establish incompatible
6 standards of conduct for the Defendants; and that adjudications with respect to
7 individual Settlement Class Members that, as a practical matter, would be dispositive
8 of the interests of the other members not parties to the individual adjudications or would
9 substantially impair or impede their ability to protect their interests.

10 5. For settlement purposes only, the Court appoints Plaintiff Michael Bouvy
11 as Class Representative.

12 6. For settlement purposes only, the Court appoints Rafey S. Balabanian of
13 Edelson PC, 150 California Street, 18th Floor, San Francisco, CA 94111 as Class
14 Counsel.

15 7. The Court finds that, subject to the Final Approval Hearing, the Settlement
16 Agreement is fair, reasonable, and adequate, is likely to be approved under Federal Rule
17 of Civil Procedure 23(e)(2), and is in the best interests of the Settlement Class set forth
18 above. The Court further finds that the Settlement Agreement substantially fulfills the
19 purposes and objectives of the class action, and provides substantial relief to the
20 Settlement Class without the risks, burdens, costs, or delay associated with continued
21 litigation, trial, and/or appeal. The Court also finds that the Settlement Agreement: (a)
22 is the result of arm's-length negotiations between experienced class action attorneys;
23 (b) is sufficient to warrant notice of the Settlement and the Final Approval Hearing to
24 be disseminated to the Settlement Class; (c) meets all applicable requirements of law,
25 including Federal Rule of Civil Procedure 23 and the Class Action Fairness Act
26 ("CAFA"), 28 U.S.C. § 1715; and (d) is not a finding or admission of liability by the
27 Defendants or any other parties.

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1 8. The Court approves, as to form, content, and distribution, the Notice plan
2 and all forms of Notice to the Settlement Class as set forth in the Settlement Agreement
3 and Exhibits B, C, and D thereto, and finds that such Notice is the best notice practicable
4 under the circumstances, and that the Notice complies fully with the requirements of
5 the Federal Rules of Civil Procedure. The Court also finds that the Notice constitutes
6 valid, due and sufficient notice to all persons entitled thereto, and meets the
7 requirements of Due Process. The Court further finds that the Notice is reasonably
8 calculated, under all circumstances, to apprise members of the Settlement Class of the
9 pendency of this Action, the terms of the Settlement Agreement, and the right to object
10 to the Settlement. The Parties, by agreement, may revise the Notice in ways that are
11 not material, or in ways that are appropriate to update those documents for purposes of
12 accuracy or formatting for publication.

13 9. The Court appoints Analytics Consulting, LLC as the Settlement
14 Administrator. The Settlement Administrator may proceed with the distribution of the
15 Notice as set forth in the Settlement Agreement. The Court hereby directs the Parties
16 and Settlement Administrator to complete all aspects of the Notice plan in compliance
17 with the deadlines set forth in the Settlement Agreement.

18 10. Settlement Class Members who wish to object to the Settlement must file
19 a written objection with the Court and serve any such written objection on counsel for
20 the respective Parties by the Objection Deadline, which shall be fifty-six (56) days after
21 the Notice Date, or by **Wednesday, June 15, 2022**. The objection must be personally
22 signed by the objector and must include: (a) the Settlement Class Member's full name
23 and current address; (b) a statement that he or she believes himself or herself to be a
24 member of the Settlement Class; (c) the specific grounds for the objection; (d) all
25 documents or writings that the Settlement Class Member desires the Court to consider;
26 (e) the name and contact information of any and all attorneys representing, advising, or
27 in any way assisting the objector in connection with the preparation or submission of
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1 the objection or who may profit from the pursuit of the objection; and (f) a statement
2 indicating whether the objector intends to appear at the Final Approval Hearing (either
3 personally or through counsel, who must file an appearance or seek *pro hac vice*
4 admission). Any Settlement Class Member who fails to timely file a written objection
5 with the Court and notice of his or her intent to appear at the Final Approval Hearing in
6 accordance with the terms of this Section and as detailed in the Notice, and at the same
7 time provide copies to designated counsel for the Parties, shall not be permitted to object
8 to this Settlement Agreement at the Final Approval Hearing, and shall be foreclosed
9 from seeking any review of this Settlement Agreement or Final Judgment by appeal or
10 other means and shall be deemed to have waived his or her objections and be forever
11 barred from making any such objections in the Action or any other action or proceeding.

12 11. Settlement Class Members who are Former Participants and who wish to
13 roll over their Settlement Payment to another tax-qualified retirement account must
14 complete and submit a valid Former Participant Rollover Form in accordance with the
15 instructions provided in the Notice and Former Participant Rollover Form by the Former
16 Participant Rollover Form Deadline, which shall be fifty-six (56) days following the
17 Notice Date, that is, on or before **Wednesday, June 15, 2022**. The Court hereby
18 approves as to form and content the Former Participant Rollover Form attached to the
19 Settlement Agreement as Exhibit A.

20 12. The Final Approval Hearing shall be held on **Friday, July 15, 2022**, at
21 **1:30 p.m.** at the United States District Court for the Southern District of California, 333
22 West Broadway, San Diego, CA 92101, Courtroom 13A, to determine: (a) whether the
23 proposed settlement of the Action on the terms and conditions provided for in the
24 Settlement Agreement is fair, reasonable, and adequate and should be given final
25 approval by the Court; (b) whether a judgment and order of dismissal with prejudice
26 should be entered; (c) whether to approve the payment of attorneys' fees and expenses
27 to Class Counsel; and (d) whether to approve the payment of an incentive award to the
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1 Class Representative. The Court may adjourn the Final Approval Hearing without
 2 further notice to members of the Settlement Class.

3 13. Class Counsel shall file papers in support of their Fee Award and the Class
 4 Representative’s incentive award (collectively, the “Fee Petition”) with the Court on or
 5 before **Wednesday, June 1, 2022**. Papers supporting the Fee Award shall be filed with
 6 the Court and posted to the Settlement Website. Settlement Class Members may object
 7 on their own or may do so through separate counsel at their own expense.

8 14. Plaintiff shall file his papers in support of final approval of the Settlement
 9 Agreement on or before **Friday, June 24, 2022**. Defendant shall file any reply papers
 10 on or before **Friday, July 8, 2022**.

11 15. The Court retains jurisdiction to consider all further applications arising
 12 out of or connected with the proposed Settlement.

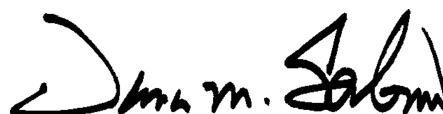
13 16. In accordance with the Settlement, the Court hereby adopts the following
 14 dates for performance:

Event	Deadline
Mailing Notice to Class Members (“Notice Date”)	Wednesday, April 20, 2022
Filing Fee Petition	Wednesday, June 1, 2022
Settlement Class Members Objection Deadline	Wednesday, June 15, 2022
Former Participant Rollover Form Deadline	Wednesday, June 15, 2022
Filing Final Approval Papers	Friday, June 24, 2022
Filing Reply Papers	Friday, July 8, 2022
Final Approval Hearing	Friday, July 15, 2022
Submitting Proof of Claim and Release Forms	Thursday, July 28, 2022

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IT IS SO ORDERED.

DATED: March 23, 2022



Hon. Dana M. Sabraw
United States District Court Judge