

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

BONNIE MAGALLON, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

ROBERT HALF INTERNATIONAL, INC.,
a foreign corporation,

Defendant.

Case No. 6:13-cv-1478-SI

ORDER

Michael H. Simon, District Judge.

The Court, having reviewed the Settlement Agreement entered into by the parties, hereby
Orders that:

1. For the reasons set forth herein, the Court grants preliminary approval of the

Settlement Class defined as:

All natural persons residing in the United States (including territories and other political subdivisions) who (i) applied for temporary employment placement through RHI; (ii) about whom RHI obtained a consumer report for employment purposes from the General Information Services, Inc., from August 22, 2008 until November 30, 2017; (iii) the consumer report contained either a “red flag” or a “yellow flag”; and (iv) RHI determined that applicant was “not placeable.” Excluded from the Settlement Class are any person who applied for placement through RHI in June 2012 or later, signed the arbitration agreement acknowledgment form, and did not opt out of the arbitration agreement within 30 days.

2. The Settlement Agreement entered into between the Plaintiff Bonnie Magallon and Defendant Robert Half International, Inc.¹ as of October 7, 2024, appears, upon preliminary review, to be fair, reasonable, and adequate to the Class. Accordingly, the proposed settlement is preliminarily approved, pending a fairness hearing as provided for herein.

3. The Court finds this action is maintainable as a class action under Rule 23(b)(3) of the Federal Rules of Civil Procedure for settlement purposes.

4. The Court approves the appointment of Continental DataLogix, LLC to supervise and administer the notice procedure as set forth in the Settlement Agreement.

5. The Court will hold a Final Approval Hearing pursuant to Rule 23(e) of the Federal Rules of Civil Procedure on May 7, 2025, at 1:30 p.m., in Courtroom 15B, Mark O. Hatfield United States Courthouse, 1000 Southwest Third Avenue, Portland, Oregon 97204-2944, for the following purposes:

a. To finally determine whether this action satisfies the criteria for class certification set forth in Rules 23(a) and (b) of the Federal Rules of Civil Procedure;

b. To determine whether the proposed settlement is fair, reasonable and adequate and should be granted final approval by the Court;

c. To determine whether a final judgment should be entered dismissing the claims of the Class;

d. To consider the application of Class Counsel for an award of attorney's fees and expenses, and for an individual settlement and service award to the Class Representative; and

e. To rule upon other such matters as the Court may deem appropriate.

¹ Now known as Robert Half Inc.

6. Within fourteen (14) days of the entry of this Order, Defendant shall make an initial deposit of \$30,000 toward the Settlement Payment Amount into the Escrow Account to create the Settlement Fund.

7. Within fifteen (15) business days of the entry of this Order, Defendant shall provide the Settlement Administrator with the Class List that identifies, subject to the availability of information in reasonably accessible electronic form, the names, Social Security Numbers, last known mailing addresses, and last known e-mail addresses, if available, of the 2,363 Settlement Class Members. The Settlement Administrator shall proceed with the notice plan as set forth in the Settlement Agreement.

8. The Court finds that the manner of giving notice set forth in the parties' Settlement Agreement fully satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure and due process, constitutes the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

9. A Class Member may object to the settlement, the requested attorney's fees, or the requested service award to the Class Representative. To exercise this objection right, the Class Member must provide written notice of the objection via mail to the Clerk of the Court at U.S. District Court for the District of Oregon, Mark O. Hatfield United States Courthouse, 1000 SW Third Avenue, Portland, Oregon, 97204, or electronically through the Court's CM/ECF system. For an objection to be considered by the Court, the objection must be postmarked no later than April 9, 2025, as specified in the Notice. For an objection to be considered by the Court, the objection must also set forth:

- a. The name of the Action;
- b. The objector's full name, address, e-mail address, and telephone number;

c. A statement with specificity of all grounds for the objection, accompanied by any legal support for the objection known to the objector or the objector's counsel;

d. The number of times in which the objector has objected to a class action settlement within the five (5) years preceding the date that the objector files the objection, the caption of each case in which the objector has made such objection;

e. The identity of all counsel who represent the objector, including any former or current counsel who may be entitled to compensation for any reason related to the objection to the Settlement or fee application;

f. The number of times in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the five (5) years preceding the date that the objector files the objection, the caption of each case in which the counsel or the firm has made such objection;

g. The identity of all counsel representing the objector who will appear at the Final Approval Hearing;

h. A list of all persons who will be called to testify at the Final Approval Hearing in support of the objection;

i. A statement confirming whether the objector intends to personally appear and/or testify at the Final Approval Hearing; and

j. The objector's signature (an attorney's signature is not sufficient).

10. The right to object must be exercised individually by an individual Class Member, not as a member of a group or subclass and, except in the case of a deceased or incapacitated Class Member, not by the act of another person acting or purporting to act in a representative capacity.

11. A Class Member may opt out of the settlement class. To exercise this exclusion right, the Class Member must submit their exclusion request to the Settlement Administrator. For an exclusion request to be considered by the Court, the request must be postmarked no later than April 9, 2025, as specified in the Notice. For an exclusion request to be considered by the Court, the request must also set forth:

- a. The name of the Action;
- b. The person's full name, address, e-mail address, and telephone number;
- c. A specific statement of the person's intention to be excluded from the Settlement;
- d. The identity of the person's counsel, if represented; and
- e. The person's signature and the date of execution.

12. All Class Members shall be bound by all determinations and judgments in this Action concerning the Settlement, unless such persons request exclusion from the Class in a timely and proper manner.

13. Class Counsel's fee petition shall be filed with the Court and posted on the settlement website no later than January 24, 2025. Any opposition by Defendant shall be filed by February 24, 2025, and any reply by Class Counsel shall be filed within thirty (30) days prior to the Final Approval Hearing.

14. Class Counsel's motion for final approval of the settlement and for the individual service award shall be filed with the Court and posted on the settlement website no later than March 7, 2025.

15. All final briefs, memoranda, petitions, and affidavits to be filed in support of final approval of the settlement and for an individual award to the Class shall be filed not later than fourteen (14) days before the Final Approval Hearing.

16. The Court retains exclusive jurisdiction over this action to consider all further matters arising out of or connected with the Settlement Agreement.

IT IS SO ORDERED.

DATED this 11th day of December, 2024.

/s/ Michael H. Simon
Michael H. Simon
United States District Judge