

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

JESSICA DAY,
Plaintiff,

v.

GEICO CASUALTY COMPANY, et al.,
Defendants.

Case No. 21-cv-02103-BLF

**ORDER APPROVING PLAINTIFF'S
REVISED PROPOSED CLASS NOTICE
PLAN**

[Re: ECF No. 136]

On January 6, 2023, Plaintiff submitted a Revised Proposed Class Notice Plan (the “Plan”). ECF No. 136. Plaintiff made all the revisions identified in the Court’s previous Order. *See* ECF No. 132. Defendant makes two objections to the Plan. *See* ECF No. 136 at 3-6. First, Defendant “requests a simpler way for recipients of the notice to opt out.” *Id.* at 3. The Court DENIES this objection, as the Plan provides for a written opt-out, which is standard for class action notice plans. Second, Defendant requests that the Plan not be enacted until after merits discovery is completed. *Id.* at 5. The Court DENIES this objection, finding that the delay is unreasonable because any event that would obviate the need for class notice is completely speculative. The Court APPROVES Plaintiff’s Revised Proposed Class Notice Plan.

IT IS SO ORDERED.

Dated: January 10, 2023



BETH LABSON FREEMAN
United States District Judge