



United States District Court
Basham, et al. v. Tailored Living Choices LLC
Case No. 4:23-cv-02678-DMR

Class Action Notice

Authorized by the U.S. Northern District Court, Oakland Division

INSERT QR
CODE

Why did you get this notice?

This notice is to tell you about the settlement of a class and collective action lawsuit, *Basham, et al. v. Tailored Living Choices, LLC*, brought on behalf of people who worked for Tailored Living Choices as an Instructional Assistant. You received this notice because **you may be a member of the group of people affected**, called the "Class," and **you may be entitled to money as part of the settlement**. You may also be part of **another group of people** called the "Collective," and you may be **entitled to more money as part of the settlement**. This notice tells you how to get more information about the settlement.

What is this lawsuit about?

Summary of the Lawsuit

This case includes claims under California state law, the Federal Labor Standards Act, and the California Private Attorneys General Act. The class action lawsuit was filed on December 29, 2021, by former Instructional Assistants Genevieve Basham, Jennifer Raper, and George Pepper. They claim that Tailored Living Choices (TLC) committed various California Labor Code and federal Fair Labor Standards Act (FLSA) violations. Plaintiffs claim that TLC failed to pay minimum and regular wages for all hours worked; failed to properly pay overtime wages for all hours worked over forty-hours in a workweek; failed to pay for all travel time; maintained a rounding time policy that prejudiced employees; and did not reimburse employees for business related expenses like phone and gas use.

In February 2024, the Court conditionally certified Plaintiffs' FLSA claims for unpaid overtime and minimum wages and a Court-approved notice was sent to you and you were given an opportunity to opt-in to the FLSA aspect of the case.

TLC has denied and continues to deny all wrongdoing and claims it followed the law. TLC contends that none of the claims alleged by Plaintiffs will succeed in Court. The Court has not decided who is right. Instead, both sides agreed to settle to avoid the risks and costs of continuing the case.

If you would like to read the Complaint, you can obtain a copy online at this address:

www.tailoredlivingsettlement.com

Why Is there a Settlement?

The Court did not hold a trial to decide in favor of Plaintiffs or TLC. The Court has made no ruling on the merits of any of the claims. All parties agreed to the Settlement because they believe it is fair, reasonable, and adequate under the circumstances. Plaintiffs think their claims have merit. TLC believes that Plaintiffs would not have won anything at trial. The parties negotiated this settlement to avoid the risks, delays, and uncertainties of litigation and agree that the Settlement is the best resolution for everyone considering those risks, delays, and uncertainties.

Are You a Class Member?

The Class. You are part of the Class because you worked in California as an Instructional Assistant at any time June 29, 2017, to May 15, 2025.

The Class covers claims under the California Labor Code that relate to unpaid wages, missed breaks, late payments, business expenses, and inaccurate pay records. If you do not exclude yourself from the Class, you will receive a settlement payment and give up your right to sue Tailored Living Choices under California law for these claims from June 29, 2017, to May 15, 2025.

You are estimated to receive \$<<SubClass1_Amt>>, less applicable taxes and payroll deductions. <<TLC's records also show that you are a member of the Waiting Time Penalties Subclass, which means you are entitled to receive>> \$<<SubClass2_Amt>> <<as a waiting time penalty, in addition to any amounts referenced above.>>

Your options:	More about each option:
Do Nothing	Do nothing. Get Payment and no longer have the right to sue Tailored Living Choices about the same issues.
Opt-Out	Submit a letter and request to be excluded. Get no payment for this part of the settlement, keep the right to sue Tailored Living Choices about the same issues covered by the class settlement.
Object	Tell the Court why you don't like the class settlement.

Are You a FLSA Collective Member?

The FLSA Collective. You <<are/are not>> part of the FLSA Collective because you <<worked/did not work>> as an Instructional Assistant for TLC at any time between December 1, 2020, through May 15, 2025. The FLSA Collective covers claims under federal law for minimum and overtime wages.

<<This means you will receive a separate FLSA settlement amount that is currently estimated to be:>> \$<<SubClass3_Amt>><<, less applicable taxes and payroll deductions.>>

Your options:	More about each option:
Submit a Claim Form	Fill in the claim form and send it to the Administrator to ensure you receive your additional FLSA Collective Settlement Check.
Cash the Check	Cash the separate FLSA Collective settlement check and no longer have the right to sue Tailored Living Choices about the same issues.
Do Nothing	Do not send the claim form and do not cash the settlement check and keep the right to sue Tailored Living Choices about the same issues covered by the FLSA collective settlement.

Are You a PAGA Employee?

<<Yes/No>>. The PAGA Employees are all current and former employees who worked as an Instructional Assistant for TLC at any time between October 29, 2020, through May 15, 2025. All PAGA Employees will receive their pro-rata share of the PAGA Payment regardless of whether they opt-in or opt-out of the Settlement.

<<You will automatically receive>> \$<<PAGAClass Amt>><<.You will no longer have the right to sue Tailored Living Choices for civil penalties under the California Private Attorney's General Act (PAGA) about the same issues covered by the Settlement.>>

Learning About the Settlement

What does the Settlement Provide?

Although TLC denies any wrongdoing, and the Court has not decided in favor of Plaintiffs, TLC has agreed to pay \$580,000 into a settlement fund to avoid the costs and burden of the litigation.

This money will be divided among the Class members, Collective members, and PAGA Employees, and will also be used to pay for the costs of the Settlement administration, and the lawyer's fees and costs in the case.

The Court named the company CPT Group, Inc. as the Settlement Administrator. They will be in charge of the settlement fund and sending this Notice to you. They will also be in charge of making all the payments and sending the settlement checks, if the Court grants the final approval of this Settlement. The amounts that CPT will pay, if the Settlement is approved, are as follows:

- Attorney's fees: \$193,333.34

- Attorney's costs: \$35,000

- The cost of administering the Settlement: \$35,000

- Service Awards to the Class Representatives for their time and service: \$10,000 to Ms. Basham, \$10,000 to Ms. Raper, and \$10,000 to Mr. Pepper

- Payment to the California Labor and Workforce Development Agency and the PAGA Employees: \$20,000

- Payment to the Class Members and FLSA Collective Members that decide to participate in the Settlement: (estimated) \$266,666.66. This amount will be divided among all participating class members and FLSA Collective members depending on the number of weeks they worked as Instructional Assistants within the period of June 29, 2017, through May 15, 2025.

The Settlement provides that the individuals who do not send a letter and request to Opt-Out of the Settlement will automatically become participating class members. Members of the class (those who do nothing) will receive a settlement check and will no longer have the right to sue TLC for the same California claims and issues of the lawsuit. The California claims alleged in the lawsuit and released by this Settlement include claims for minimum, regular, and overtime wages for sleep time, travel time, and rounded time. This settlement also provides for monetary compensation for the release of claims for reimbursement of phone and gas expenses. The settlement also includes a release of the claims for inaccurate wage statements, and untimely payment of wages.

All individuals who were employed from December 1, 2020 to now as Instructional Assistants, and who submit an FLSA claim form or cash their separate FLSA Collective settlement check, will also release their federal claims, which means they cannot sue TLC for the same federal claims and issues that are part of the lawsuit.

All individuals who were employed from October 29, 2020 to now will also receive a settlement check and will release their claim for civil penalties under the California Private Attorneys' General Act.

If you are unsure whether you are part of this settlement, contact the Settlement Administrator at 1 (888) 801-2215 or send an email with your name and telephone number to tailoredlivingsettlement@cptgroup.com

You can access the full Settlement and the release, free of charge, at www.tailoredlivingsettlement.com

How much will I receive?

You are estimated to receive:

- California Class: \$<<SubClass1_Amt>>, less applicable taxes and payroll deductions.
- Waiting Time Penalty Subclass: \$<<\$SubClass2_Amount>>.
- FLSA Collective: \$<<SubClass3_Amt>>, less applicable taxes and payroll deductions.
- PAGA Payment: \$<<PAGAClass_Amt>>.

Please Note: The actual amount of your Individual Settlement Payment may increase or decrease based on several factors, including, but not limited to, the number of individuals who decide to opt out of the settlement.

TLC's records show you worked a total of <<SubClass1_Weight>> workweeks as an Instructional Assistant June 29, 2017, to May 15, 2025. You may have worked additional workweeks for TLC in another position, but those workweeks are not included for purposes of this Settlement. The total number of your workweeks listed above is presumed to be correct unless the documents you submit (such as wage statements and paystubs) demonstrate otherwise.

If you believe your total number of workweeks is incorrect, you **must** contact the Settlement Administrator as soon as possible and provide documentation that you believe demonstrates that this number is incorrect. You can reach the Settlement Administrator at 1 (888) 801-2215; or send an email with your name and telephone number to tailoredlivingsettlement@cptgroup.com.

You must contact the Settlement Administrator and provide any supporting documents no later than September 4, 2025. If you do not provide any documents or other evidence to support your challenge, the Settlement Administrator will reject it.

How will my payment be calculated?

The Settlement provides that the Class members will receive approximately \$266,666.66 for the resolution of Class and FLSA Claims. This amount will be shared among the California Class, Waiting Time Penalty Subclass, and the FLSA Collective. Here's how the \$266,666.66 will be divided:

- **40%** or approximately \$106,666.67, will go to the California Class Members;
- **30%** or approximately \$80,000 will go to the Waiting Time Penalty Subclass; and
- **30%** or approximately \$80,000 will go to the FLSA Collective Members.

If you qualify for more than one group (for example, both the Class and the Subclass), you'll receive a share from each.

The Settlement also provides that PAGA employees will receive 25% of the \$20,000 PAGA Payment.

Your individual payment will be based on how many weeks you worked as an Instructional Assistant, compared to others in the Class, Collective, or group of PAGA employees. The Administrator will calculate the total number of workweeks all Instructional Assistants worked from June 29, 2017 to now. Then, the Administrator will calculate the dollar amount each Class Member will receive per week, and then multiply that amount by the number of weeks you worked to calculate your payment.

If you are unsure about how your settlement amount was calculated, contact the Settlement Administrator at 1 (888) 801-2215 or tailoredlivingsettlement@cptgroup.com.

When do I get my payment?

TLC will deposit 50% of the \$580,000 into the settlement account set up by the Settlement Administrator no later than seven (7) days after the Court gives final approval, if there are no objections. TLC will deposit the remaining 50% thirty-five (35) calendar days after the initial payment.

Once all the settlement money is in the settlement account, the settlement administrator will start processing the settlement payments. The administrator will start mailing the checks to the class members within 7 days after Defendant has deposited the second settlement payment.

Once your check is mailed, you will have **180 days** to cash or deposit your check.

Any checks that are returned or remained uncashed 180 calendar days after mailing will be cancelled, and **YOU WILL LOSE YOUR CALIFORNIA STATE CLAIMS, EVEN IF YOU DO NOT CASH YOUR CHECK, UNLESS YOU HAD PREVIOUSLY OPTED OUT FROM THE CALIFORNIA SETTLEMENT CLASS.**

Do I have a lawyer in this lawsuit?

In a class and collective action, the court appoints lawyers to work on the case and represent the interests of all class members. For this settlement, the Court has appointed the following lawyers:

Vilmarie Cordero

Taylor Gee

GRAHAMHOLLIS, APC

3555 Fifth Avenue,

San Diego, CA 92103

Telephone: (619) 930-9601

Facsimile: (619) 692-0822

Do I have to pay the lawyers in the lawsuit?

Lawyer's fees and costs will be paid from the Settlement Fund. **You will not have to pay the lawyers directly.**

To date, your lawyers have not been paid any money for their work or the expenses that they have paid out of pocket for the case. Your lawyers will request, as part of the final approval of this Settlement, that the Court approve a payment of up to \$193,333.34 total in attorneys' fees; plus the reimbursement of out-of-pocket expenses up to \$35,000. Lawyers' fees and expenses will only be awarded if approved by the Court as a fair and reasonable amount. You have the right to object to the lawyers' fees even if you think other settlement terms are fair.

Doing Nothing

What are the consequences of doing nothing as a CLASS member?

If you do nothing, you will be part of the Class settlement, get money, and be covered by the "release" provisions. That means you won't be able to start, continue, or be part of any other lawsuit against Tailored Living Choices for the same California claims at issue in this case. A full description of the claims and persons who will be released if this settlement is approved can be found in the Settlement Agreement. You can review the Settlement Agreement online at www.tailoredlivingsettlement.com.

What are the consequences of doing nothing as a COLLECTIVE member?

If you do not cash your Collective settlement check, or if you did not previously submit a Claim form, you will not be covered by the “release” provisions. This means you will be able to start, continue, or be part of any other lawsuit against Tailored Living Choices for the same Federal claims at issue in this case.

Please note that if you previously submitted a Claim Form, you are covered by the Settlement, and you will release TLC of all federal claims that are part of the lawsuit even if you do not cash your check.

If you are unsure about whether you submitted a Claim Form, you need to contact the Settlement Administrator at 1 (888) 801-2215 or tailoredlivingsettlement@cptgroup.com.

Participating in the Collective Settlement

How do I participate in the Collective settlement if I was employed on or after December 1, 2020?

If you wish to participate in the Collective settlement, you should submit a completed claim form to the Settlement Administrator online or download a claim form at www.tailoredlivingsettlement.com and mail to the Settlement Administrator (address below). The deadline for submitting a claim form is September 4, 2025. The claim form must be postmarked by that date. You can also cash the check to be part of the settlement for the Collective claims. The deadline for cashing the check is April 14, 2026.

What are the consequences of joining the Collective?

If you previously submitted a claim form or if you cash the check that will be mailed to you, you will be part of the Collective settlement, get money, and be covered by its “release” provisions. That means you won't be able to start, continue, or be part of any other lawsuit against Tailored Living Choices about these issues in this case. A full description of the FLSA claims and persons who will be released if this settlement is approved can be found in the Settlement Agreement, which is available online at www.tailoredlivingsettlement.com.

Opting Out of the California Class

What if I do not want to be part of the Class?

You can opt out of the California Class. If you do, you will not receive payment and cannot object to the settlement. However, you will not be bound or affected by anything that happens to the Class in this lawsuit. You may be able to file your own case. **You cannot opt out of the PAGA claims and you will not be able to pursue these claims.**

If you want to Opt-Out of the Class, you must do so by: September 4, 2025

How do I Opt-Out? You must send a letter to the Settlement Administrator that:

1. is postmarked by September 4, 2025;
2. includes your full name, address and telephone number, and email address (if you have one);
3. states, “I wish to exclude myself from the Individual Class Payment portion of the Settlement in *Basham, et al. v. Tailored Living Choices, LLC* pending in the Northern District Court of California, Case No. 4:23-cv-02678-DMR.”; and
4. your signature.

Mail your letter to:

Basham v. Tailored Living Choices, LLC
c/o CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606
Fax: 949-419-3446

Objecting

What if I disagree with the settlement?

Only Class Members may object to the Class Settlement.

You can ask the Court to deny approval by filing an objection with the Court. You can't ask the Court to order a different settlement; the Court can only approve or reject the settlement. If the Court denies approval, no settlement payments will be sent out, and the lawsuit will continue.

Any objection to the proposed settlement must be in writing on or before September 4, 2025. If you file a timely written objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney.

All written objections and supporting papers must (a) clearly identify the case name and number (Basham, et al. v. Tailored Living Choices, LLC; Case No. 4:23-cv-02678-DMR), (b) be submitted to the Court either by filing them electronically or in person at any location of the United States District Court for the Northern District of California or by mailing them to the Class Action Clerk, United States District Court for the Northern District of California, 1301 Clay Street, Suite 400 S, Oakland, CA 94612, and (c) be filed or postmarked on or before September 4, 2025.

PLEASE DO NOT TELEPHONE OR CONTACT THE COURT, THE JUDGE, OR THE OFFICE OF THE CLERK FOR INFORMATION REGARDING THIS SETTLEMENT.

Final Approval Hearing

Can I be heard by the Judge?

The Court will hold a Final Hearing to decide whether to grant final approval of the Settlement. You may attend this hearing. If you filed a timely objection, you or your attorney may ask to speak, but you do not have to.

The date of the Final Hearing may change without further notice. To make sure you have the correct date PLEASE CHECK with one of the following to confirm the hearing date and time is correct:

- 1) The settlement website at www.tailoredlivingsettlement.com.
- 2) The Court's PACER site at <https://ecf.cand.uscourts.gov>
- 3) Your Lawyers at GrahamHollis APC at (619) 930-9601

Hearing Time: August 28, 2025 at 1:00 p.m.

Hearing Location: 1301 Clay Street, Oakland, CA, 94612

Judge: Hon. Donna M. Ryu

Key Resources

How do I get more information?

This notice summarizes the proposed settlement. For the precise terms of the settlement, please see the settlement agreement available at www.tailoredlivingsettlement.com.

You can find copies of other important documents in the case, including the Complaint, and the Court Order preliminarily approving the settlement at www.tailoredlivingsettlement.com or you can use the QR code located on the top right corner of the first page.

You can also:

- Contact your lawyer (information below)
- Visit the office of the Clerk of the Court for the United States District Court for the Northern District of California, 1301 Clay Street, Suite 400 S, Oakland, CA 94612, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.
- Access the Court's eCourt Public Portal online (<https://pacer.uscourts.gov>) also known as PACER

PACER is an online system that lets you view federal court case information and documents.

Instructions on how to use PACER:

- 1) Create a PACER account by visiting pacer.gov. Click Register and select "PACER-Case Search Only" and complete the form and follow the email to set up your account.
- 2) Log in to the Northern District's case search at <https://ecf.cand.uscourts.gov> and click "California Northern District – Document Filing System."
- 3) Click "Query" in the top menu, enter the case number **4:23-cv-02678-DMR** and select the button "Find This Case" and "Run Query."
- 4) Select History/Documents and click the button "Run Query."
- 5) To view the documents click the number on the left side.

Resource	Contact Information
CPT's website	www.tailoredlivingsettlement.com
Settlement Administrator	<i>Basham v. Tailored Living Choices, LLC</i> c/o CPT Group, Inc. 50 Corporate Park Irvine, CA 92606
Your Lawyers	Vilmarie Cordero Taylor Gee GRAHAMHOLLIS, APC tgee@grahamhollis.com 3555 Fifth Avenue, San Diego, CA 92103 Telephone: (619) 930-9601 Facsimile: (619) 692-0822
Court (DO NOT CONTACT)	United States District Court for the Northern District of California Oakland Courthouse, 1301 Clay Street Oakland, CA, 94612

PLEASE DO NOT TELEPHONE OR CONTACT THE COURT, THE JUDGE, OR THE OFFICE OF THE CLERK FOR INFORMATION REGARDING THIS SETTLEMENT.