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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 JEFFREY KEARNS, individually
11 and on behalf of all others
similarly situated,

12 Plaintiff,

13 v.

14 LOANDEPOT.COM, LLC,

15 Defendant.

Case No. 8:22-cv-01217-JWH-JDE

CLASS ACTION

**AMENDED ORDER GRANTING
JOINT MOTION FOR APPROVAL
OF RULE 23(c)(2) NOTICE PLAN**

Action filed: June 27, 2022

1 Plaintiff Jeffrey Kearns initiated this action against Defendant
2 loanDepot.com, LLC, seeking class-wide relief under the Telephone Consumer
3 Protection Act. On October 21, 2025, the Court granted Plaintiff's Motion to
4 Certify Class, [DE 163]. Before the Court is the parties' Joint Motion for
5 Approval of Rule 23(c)(2) Notice Plan. Good cause appearing, the Court hereby
6 **ORDERS** as follows:

7 1. Rule 23(c)(2) enumerates the contents of notice to be directed to class
8 members following a court's decision to certify a class under Rule 23(b)(3):

9 For any class certified under Rule 23(b)(3) . . . the court must direct to
10 class members the best notice that is practicable under the
11 circumstances, including individual notice to all members who can be
12 identified through reasonable effort. The notice may be by one or more
13 of the following: United States mail, electronic means, or other
14 appropriate means. The notice must clearly and concisely state in plain,
15 easily understood language:

- 16 (i) the nature of the action;
17 (ii) the definition of the class certified;
18 (iii) the class claims, issues, or defenses;
19 (iv) that a class member may enter an appearance through an
20 attorney if the member so desires;
21 (v) that the court will exclude from the class any member who
22 requests exclusion;
23 (vi) the time and manner for requesting exclusion; and
24 (vii) the binding effect of a class judgment on members under
25 Rule 23(c)(3).

26 Fed. R. Civ. P. 23(c)(2).
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1 2. The Court finds that the parties' proposed notice forms include clear,
2 concise, and easily understood language setting forth all of the information
3 required by Rule 23(c)(2). Accordingly, the court **GRANTS** the parties' Proposed
4 Rule 23(c)(2) Notice and **APPROVES** the proposed class notices, attached as
5 Exhibits A, and B to the Motion.

6 3. The Court further **GRANTS** the parties' joint notice plan and sets the
7 following deadlines:

8 a. **Deadline for the Parties to Obtain Information from**
9 **LendingTree sufficient to identify numbers on Exhibit A That Came**
10 **From LendingTree.com:** 45 days after entry of Amended Order Granting
11 Approval of Notice Plan.

12 b. **Deadline for Administrator to Identify Resulting Numbers**
13 **that Are Assigned to Cellular Providers:**¹ 20 days after list of numbers are
14 provided to administrator.

15 c. **Deadline for Defendant to Provide Administrator E-Mail**
16 **Addresses for Resulting Numbers (At Plaintiff's sole cost):** 30 days after
17 resulting phone cellular numbers are provided by the administrator.

18 d. **Deadline for Administrator to Complete Notice:** 60 days
19 after Defendant provides all e-mail addresses for resulting cellular phone
20 numbers. Upon receipt of the e-mails, Epiq shall complete notice by
21 emailing the approved E-Mail Notice Form. Epiq shall also establish a
22 website consisting of the Long Form Notice, the pleadings, and all pertinent
23 Court Orders. The parties shall jointly agree on a URL for the website.

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27 ¹ loanDepot will not dispute the accuracy of this count for purposes of class member notice but reserves the
28 right to challenge evidence of the receipt of calls by class members on cellular phones at trial.

1 e. **Deadline for any Class Member to opt out of the case:**
2 60 days after completion of notice.

3 **IT IS SO ORDERED.**

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5 Dated: April 8, 2026



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7 Honorable John W. Holcomb
UNITED STATES DISTRICT JUDGE
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