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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
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11 **JASON ROTHMAN**, Individually and
12 on Behalf of All Others Similarly
Situated,

13 Plaintiff,

14 v.

15 **EQUINOX HOLDINGS, INC.** and
16 **DOES 1 through 100**, inclusive,

17 Defendants.

Case No.: 2:20-cv-09760-CAS-MRWx

**ORDER RE: MOTION FOR
CLASS CERTIFICATION,
APPOINTMENT OF CLASS
REPRESENTATIVE
AND CLASS COUNSEL**

18 On January , 2024, Plaintiff filed his Motion for Class Certification and for
19 Appointment of Class Counsel and Class Representative. The Court has considered the
20 parties' submissions, and Plaintiffs' Motion is hereby **GRANTED**.

21 It is **FURTHER ORDERED** as follows:

22 (1) The proposed Class satisfies the requirements of Rule 23(a) because it is
23 sufficiently numerous and objectively ascertainable; common issues of fact and law
24 unite the Class; Plaintiff's claims are typical of the claims of the Class; and Plaintiff and
25 their counsel will adequately represent the Class;

26 (2) The requirements of Rule 23(b)(3) are satisfied because common issues
27 predominate over individual issues, and a class action is a superior method of
28 adjudicating this case;

1 (3) Accordingly, the proposed Class is hereby certified under Rule 23(b) as
2 follows:

3 All Equinox members with a Home Club in California, whose Membership
4 Agreement included the Refund Clause, and who did not receive a refund
5 of prepaid membership dues for any period during which Defendants'
Equinox-branded Fitness Clubs were closed.

6 Excluded from all of the above-defined putative classes ("Classes") are: (1) Defendant
7 and any entity in which Defendant has or had a controlling interest; (2) the officers and
8 directors of Defendant at all relevant times, the members of Defendant's officer's and
9 director's immediate families and their legal representatives, heirs, successors, or
10 assigns; and (3) any judge to whom this action is assigned and any members of such
11 judges' staffs and immediate family members.

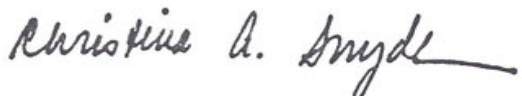
12 (4) Plaintiff Jason Rothman is hereby appointed as class representative for the
13 Class.

14 (5) Trenton R. Kashima and John Nelson, of Milberg Coleman Bryson Phillips
15 Grossman PLLC, and Jason Thompson, of Sommers Schwartz P.C., are hereby
16 appointed as Class Counsel, pursuant to Rule 23(g).

17 (6) The parties shall meet and confer regarding the provision and contents of
18 class notice within fourteen days of this order. Plaintiff shall file his motion for
19 approval of class notice within twenty-one days of this order. To the extent that
20 Defendant opposes Plaintiff's proposed class notice, Defendant's opposition will be due
21 within fourteen days of the date of filing of Plaintiff's motion. Plaintiff's reply will be
22 due within twenty-one days of the date of filing of Plaintiff's motion.

23 **IT IS SO ORDERED.**

24 Dated: October 15, 2024



— Hon. Christina A. Snyder
United States District Court