

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

RAPHYR LUBIN, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

Case No: 8:20-cv-1311-CEH-TGW

STARBUCKS CORPORATION,

Defendant.

ORDER

This matter is before the Court on Plaintiff's Unopposed Amended Motion for Preliminary Approval of the Parties' Revised Class Action Settlement ("Motion") (Doc. 111). The Court has carefully considered the Motion, the proposed Revised Class Action Settlement Agreement and Release (the "Agreement"), the proposed Notices of Settlement, and the declarations submitted in support of the Motion. Being fully advised in the premises of the proposed Agreement, the Court **GRANTS** the Motion and **ORDERS** as follows:

1. All defined terms contained herein shall have the same meaning as set forth in the Agreement executed by the Parties and filed with the Court.
2. In this Action, the Named Plaintiff alleges that Defendant violated the Employee Retirement Income Security Act of 1974 ("ERISA"), as amended by

the Consolidated Omnibus Budget Reconciliation Act of 1985 (“COBRA”). Defendant denies Plaintiff’s allegations and is not admitting liability in this case.

3. The Court has jurisdiction over the subject matter of the Action, and both the Named Plaintiff and Settlement Class Members have Article III standing for purposes of settlement.

4. The Court preliminarily approves the Settlement and the terms set forth in the Agreement, subject to further consideration at the Final Approval Hearing after Settlement Class Members have had an opportunity to consider the Agreement and to object to the Settlement.

5. Pursuant to Federal Rule of Civil Procedure 23, the Court certifies, for settlement purposes only, the following Settlement Class:

All participants not subject to Starbucks’ Arbitration Agreement, and all beneficiaries in the Defendant’s Welfare Benefits Plan, including the Health Plan and Vision Plan, in the United States who were sent a COBRA notice between July 21, 2016, through January 1, 2023, as a result of a qualifying event, as determined by Defendant and/or its third party administrator and, who did not elect continuation coverage (referenced herein as the “Settlement Class”).

6. The Court finds that, for settlement purposes, the Settlement Class meets the criteria for certification under Federal Rule of Civil Procedure 23(a). The class consists of approximately 33,800 individuals. Thus, the class is sufficiently numerous and joinder of all potential Settlement Class Members is impractical.

For settlement purposes only, there are also questions of law and fact common to the Settlement Class with respect to the sufficiency of the COBRA Notice at issue and as defined in the Agreement. In that regard, the Named Plaintiff's claims are typical of the claims of the Settlement Class. Finally, Named Plaintiff and his counsel have fairly and adequately represented the interests of the Settlement Class.

7. The Court further finds that, for settlement purposes only, the Settlement Class satisfies the requirements of Federal Rule of Civil Procedure 23(b)(3). Questions of law and fact common to Settlement Class Members predominate over any questions affecting only individual members, including whether Defendant's COBRA Notice sent by or on behalf of Starbucks from July 21, 2026, to January 1, 2023, complied with applicable statutory and regulatory requirements and whether statutory penalties are appropriate. In addition, a class action is superior to other available methods for the fair and efficient adjudication of this controversy. Given the relatively modest potential recovery available to each individual and the costs and risks associated with continued litigation, individual actions would be impracticable. Certification for settlement purposes will conserve judicial resources and promote consistent resolution of the claims.

8. Luis A. Cabassa, Brandon J. Hill, and Amanda E. Heystek, from Wenzel Fenton Cabassa, P.A., along with Chad Justice of Justice Litigation Associates, PLLC, are hereby appointed as Class Counsel for the Settlement Class.

9. Named Plaintiff, Raphy Lubin, is hereby appointed Class Representative for the Settlement Class.

10. The Court finds on a preliminary basis that the terms of the proposed Settlement are fair, reasonable, and adequate. The Court further finds that the proposed Settlement is the result of arm's-length negotiations, and with the assistance of a class action mediator.

11. The Court therefore grants preliminary approval of the proposed Settlement.

12. The Court finds that the Notices of Settlement, as well as the procedures set forth in the Agreement for providing notice to the Settlement Class, satisfy the notice requirements of Rule 23, adequately advise Settlement Class Members of their rights under the Agreement, and meet the requirements of due process. The Notices of Settlement fairly, plainly, accurately, and reasonably provide Settlement Class Members with all required information, including (among other things): (1) a summary of the Action; (2) a clear definition of the Settlement Class; (3) a description of the material terms of the Settlement; (4) a disclosure of the release of claims; (5) instructions as to how to file a timely and valid claim, opt out, or object to the Settlement, and a date by which Settlement Class Members must do so; (6) the date, time, and location of the Final Approval Hearing; (7) contact information for the Settlement Administrator; (8) the website

address for the Settlement website and the toll-free telephone number that Settlement Class Members may call for further information; and (9) the separate amount that Class Counsel may seek in attorneys' fees and costs, along with the estimated costs of administration.

13. The proposed plan for sending the Short Form Notice by U.S. Mail to Settlement Class Members' last known mailing address is an appropriate method, reasonably designed to reach those individuals who would be bound by the Settlement. The Short Form Notice includes a claim form and also directs Settlement Class Members to the Settlement website, which will include the Long Form Notice and additional information to evaluate the Settlement. Accordingly, the Court approves the Notices of Settlement.

14. Any Settlement Class Member who wishes to object to the Settlement must file a timely written statement of objection with the Clerk of Court, and mail a copy of the objection to the Settlement Administrator (at the address provided in the Notices of Settlement), postmarked no later than 60 days after the Class Notice Date. The statement of objection must state the case name and number; specify the basis for the objection; state whether it applies only to the objector, to a specific subset of the class, or the entire class; provide the name, address, telephone number, and email address of the Settlement Class Member making the objection; and indicate whether the Settlement Class Member intends to appear at the Final

Approval Hearing, either with or without counsel. In addition, any statement of objection must be personally signed by the Settlement Class Member and, if represented by counsel, then also by counsel. Any Settlement Class Member who fails to timely object to the Settlement in the manner specified above shall be deemed to have waived any objections to the Settlement and shall be foreclosed from making any objections, whether by appeal or otherwise, to the Settlement.

15. Class Counsel's Motion for Attorneys' Fees and Costs must be filed at least twenty-one (21) days prior to the objection deadline for Settlement Class Members.

16. The Final Approval Motion shall be filed no later than twenty-one (21) days prior to the hearing on Final Approval Motion and Class Counsel shall address any timely submitted objections to the Settlement as of that date.

17. The below schedule shall govern the notice to the class members and other applicable deadlines, subject only to modification by further order of the Court for good cause shown.

Event	Deadline
Starbucks to provide the list of names and addresses of settlement class members to Settlement Administrator	September 2, 2026
Settlement Administrator mails Notice and sets up Settlement Website ("Notice Date")	October 2, 2026
Deadline for Motion for Attorneys' Fees and Costs	November 10, 2026
Deadline for Filing Claim	December 2, 2026

Deadline for Objections	December 2, 2026
Deadline for Opt Outs (Exclusion Requests)	December 2, 2026
Deadline for Motion for Final Approval	December 16, 2026
Fairness Hearing	January 6, 2027

18. The Court will conduct a Final Approval Hearing on January 6, 2027, at 11:00 a.m. in Tampa Courtroom 13A, Sam M. Gibbons United States Courthouse, 801 North Florida Avenue, Tampa, FL 33602, to determine whether the Settlement is fair, reasonable, and adequate and if final approval should be granted; whether any objections to the Settlement should be overruled; and whether Class Counsel's Motion for Attorneys' Fees and Costs should be granted. The Final Approval Hearing may be postponed to a later date or conducted via telephone or Zoom without further notice.

DONE AND ORDERED in Tampa, Florida, on July 8, 2026.


 Charlene Edwards Honeywell
 United States District Judge

Copies to: Counsel of Record and Unrepresented Parties, if any