

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

KYLE SMITH, IBRAHIM FETAHI, SHAWN WYNN, ARA SARDARBEGIANS, RYAN FINK, CHRISTOPHER HAMILTON, JOHN THOMPSON, BRETT BONDS, JEFF FONDA, IJANAE JACKSON, THOMAS CATLETT, and ERIC WEINBERG; individually, and on behalf of others similarly situated,

Plaintiffs,

vs.

TEMPLE UNIVERSITY,

Defendant.

Civil Action No. 2:18-cv-00590-CMR

CLASS ACTION

ORDER GRANTING PLAINTIFFS' UNCONTESTED MOTION FOR APPROVAL OF PROPOSED CLASS NOTICES AND NOTICE PLAN

AND NOW, this 11th day of March 2019, upon consideration of Plaintiffs' Uncontested Motion for Approval of Proposed Class Notices and Notice Plan and all supporting materials, IT IS HEREBY ORDERED as follows:

1. Plaintiffs' Uncontested Motion for Approval of Proposed Class Notices and Notice Plan [Doc. No. 40] is hereby GRANTED. The Court approves the Proposed Class Notices attached as Exhibit "A" and Exhibit "B" to Plaintiffs' Motion [Doc. No. 40]. The Court finds that the Notice Plan contained in Plaintiffs' Motion constitutes the best notice practicable under the circumstances as well as valid, due and sufficient notice to all Settlement Class Members complying fully with the requirements of Federal Rule of Civil Procedure 23 and the due process requirements of the United States Constitution.
2. The Court sets the following schedule for dissemination of the Class Notices and Final Approval of the Settlements:

- (a) No later than thirty (30) days from the date of this Order, the Temple Settlement Administrator shall establish the settlement websites, cause copies of the Class Notices and Claim Forms to be posted on those websites, along with the Settlement Agreements and this Court's Order Preliminarily Approving the Class Action Settlements and shall disseminate the Class Notices, substantially in the forms attached hereto as Exhibits "A" and "B" as outlined in the Notice Plan contained in Doc. No. 40;
- (b) Plaintiffs' Co-Lead Counsel shall file all Briefs, Memoranda, Petitions and Affidavits in Support of (1) Final Approval of the Settlements; (2) the Petition for Incentive Awards; and (3) the Petition for an Award of Attorney's Fees and Litigation Expenses no later than 60 days from the date of this Order;
- (c) The deadline for Settlement Class Members to opt out of the Class Action Settlements or object to the Class Action Settlements, the Proposed Plans of Allocation and Distribution, the Petition for Incentive Awards, and the Petition for an Award of Attorney's Fees and Litigation Expenses shall be no later than 90 days from the date of this Order. Opt out requests and objections must be made in writing in accordance with the instructions set forth in the Class Notices;
- (d) The deadline for Settlement Class Members to submit Claim Forms (postmarked or submitted online or via email) shall be no later than 100 days from the date of this Order;
- (e) Any Briefs or Memoranda in Response to objections shall be filed no later than 110 days from the date of this Order;
- (f) Co-Lead Counsel shall file proof of dissemination of the Class Notices no later than **fourteen (14)** days before the Final Approval Hearing;

(g) Co-Lead Counsel shall file a Proposed Final Approval Order with a complete list of all Settlement Class Members who have timely opted-out of the Class Action Settlements no later than August 2, 2019; and

(h) The Final Approval Hearing will be held **on August 5, 2019 at 10:30 AM.**

The Final Approval Hearing will be held for the following purposes:

- 1) to finally determine whether the Proposed Class Action Settlements are fair, reasonable and adequate and should be granted Final Approval by the Court pursuant to Rule 23(e) of the Federal Rules of Civil Procedure;
- 2) to determine whether a Final Judgment should be entered dismissing the claims of the Class Action Settlement Classes against Defendant with prejudice, as required by the Settlement Agreements;
- 3) to consider the Proposed Plan of Allocation and Distribution of the settlement proceeds;
- 4) to consider Co-Lead Counsel's Petition for Award of Attorneys' Fees and Litigation Expenses;
- 5) to consider the Petition for Incentive Awards; and
- 6) to rule upon other such matters as the Court may deem appropriate.

IT IS HEREBY SO ORDERED.

Dated: March 11, 2019

BY THE COURT:

/s/ Cynthia M. Rufe

Cynthia M. Rufe
United States District Judge