

3. The Court approves, as to form and content, the Class Notice that is attached to the Agreement as it complies fully with the requirements of Rule 23 of the Federal Rules of Civil Procedure, the Constitution of the United States and any other applicable laws.

4. With regard to distribution of the Settlement Notice, Class Counsel and Defendant are hereby directed and authorized to effectuate notice as called for in the Agreement and the Defendant shall provide to Class Counsel within 2 business days the last known email, mailing address, and telephone number of all Class Members.

5. Any Class Member wishing to oppose or contest the approval of the Agreement, the judgment to be entered thereon if the same is approved must comply with the procedures set forth in the Class Notice. Any Settlement Class Member who has served and filed an Objection as set forth therein may appear at the Settlement Hearing and show cause to the Court, if he or she has any, why the proposed settlement of the Lawsuit should or should not be approved as fair, reasonable, and adequate, or why a judgment should or should not be entered thereon. Any Settlement Class Member who does not make an objection in the manner provided herein shall be deemed to have waived such objection and shall be foreclosed from making any objection to the fairness, adequacy, or reasonableness of the proposed settlement.

6. At the time of the final approval hearing, or within 30 days thereafter, Class Counsel shall move for an award of their reasonable attorney fees, costs, and litigation expenses which shall be determined by the Court if the parties cannot agree.

IT IS SO ORDERED this 28th day of September, 2017



Iain D. Johnston
United States Magistrate Judge