

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**LUIS DE LA CRUZ, individually and )  
on behalf of all others similarly ) No. 17 CV 8661  
situated, )  
)  
Plaintiff, )  
)  
v. ) Magistrate Judge Young B. Kim  
)  
METRO LINK IL, LLC, )  
) November 13, 2019  
Defendant. )**

**PRELIMINARY APPROVAL ORDER**

The parties have jointly moved, pursuant to Federal Rule of Civil Procedure 23(e), for an order preliminarily approving settlement of the claims alleged in the Lawsuit, in accordance with a Class Action Settlement Agreement (the “Agreement”), which, together with the exhibits annexed thereto, sets forth the terms and conditions for a proposed settlement of the claims against Defendant and for dismissal of the Lawsuit against Defendant upon the terms and conditions set forth therein. Having considered the motion, the court grants the same. Accordingly, it is hereby ordered:

1. The court hereby preliminarily approves the settlement set forth in the Agreement as being fair, reasonable and adequate, and in the best interest of Plaintiff and those persons that are identified on Exhibit 1 to the Agreement (the “Class Members”) and that this matter is certified as a Class Action of the Class Members pursuant to Federal Rule of Civil Procedure 23.

2. A final approval hearing on the Agreement shall be held before this court on February 18, 2020, at 11:00 a.m. in courtroom 1019, (219 South Dearborn Street, Chicago, IL 60604) to determine finally whether the proposed settlement of the Lawsuit on the terms and conditions provided for in the Agreement is fair, reasonable, adequate, and in the best interest of the Settlement Class, and should be approved by the court and whether an Order and Final Judgment of Dismissal, should be entered. Plaintiff shall file a motion seeking final approval and his request for attorney fees by February 7, 2020.

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 Defendant shall provide to Class Counsel and the Settlement Administrator the information provided for in the Settlement Agreement by November 20, 2019. The court authorizes the use of a settlement administrator as called for in the parties' Settlement Agreement.

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 final approval

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. Objections to the class settlement and requests for exclusion must be filed by January 24, 2020.

**ENTER:**

A handwritten signature in black ink, appearing to read "Young B. Kim", is written over a horizontal line.

**Young B. Kim**  
**United States Magistrate Judge**