

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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WILMA KNAPP,		:
	Plaintiff,	: 3:18-cv-01941-RDM
v.		:
		:
SUSQUEHANNA VILLAGE FACILITY		:
OPERATIONS, LLC,		:
	Defendant.	:
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ORDER

AND NOW, this 28th day of February, 2020, upon consideration of Plaintiff’s “Unopposed Motion for Preliminary Approval of the Class Action Settlement and Other Related Relief” (“Motion”) (Doc. 38), the accompanying “Class Action Settlement Agreement” (“Agreement”) (Doc. 38-1), the subsequently-filed “Notice of Revised Class Action Notice Form” (Doc. 39), and all other papers and proceedings herein, it is hereby **ORDERED** that:

1. The Motion is **GRANTED**, and the settlement of this action is **PRELIMINARILY APPROVED** because it appears that, at the final approval stage, the Court “will likely be able to” approve the settlement under the criteria described in Federal Rule of Civil Procedure (“Civil Rule”) 23(e)(2). See Fed. R. Civ. P. 23(e)(1)(B)(i).¹

¹ Civil Rule 23(e)(1)(B) also states that, at the preliminarily approval stage, the Court should determine that it “will likely be able to” certify the class. See Fed. R. Civ. P.

2. The revised “Notice of Settlement” form (“Notice Form”), see Doc. 39-1, and the notice protocols described in paragraph 6 of the Agreement are approved pursuant to Civil Rules 23(c)(2)(B). The Notice Forms shall be sent to all class members listed in Exhibit A to the Agreement.

3. Individuals who wish to exclude themselves from the settlement must follow the procedures described in paragraph 7 of the Agreement and Section 7 of the Notice Form.

4. Individuals who wish to object to the settlement must follow the procedures described in paragraph 8 of the Agreement and Section 8 of the Notice Form.

5. Winebrake & Santillo, LLC – which previously was appointed class counsel – shall ensure that the notice process contemplated by the Agreement is followed.

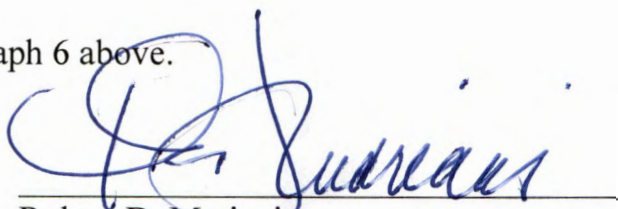
6. Pursuant to Civil Rule 23(e)(2), a hearing addressing final approval of the settlement will be held on June 18, 2020 at 11:00 AM in Courtroom 4 of the William J. Nealon United States Courthouse, 235 North Washington Avenue, Scranton, PA 18501.² During this hearing, the Court will

23(e)(1)(B) (ii). Here, however, the Court already certified the class at the pre-settlement stage of this litigation. See Doc. 21.

² **Note to the Court:** Interim class counsel recommends that the final approval hearing occur no earlier than 12 weeks after the entry of this preliminary approval order. This

hear from any objectors or other class members who wish to address the Court and will hear argument from class counsel regarding, *inter alia*, the following issues: whether the settlement warrants final approval under Civil Rule 23(e)(2); whether the service award described in footnote 1 of the Agreement should be approved; and whether the attorney's fees and costs sought by class counsel should be approved under Civil Rule 23(h).

7. Seven calendar days prior to the final approval hearing, class counsel shall file all papers in support of the final approval of the settlement and the associated issues described in paragraph 6 above.

A handwritten signature in blue ink, appearing to read "R. Mariani", is written over a horizontal line.

Robert D. Mariani
Judge of the United States District Court
Middle District of Pennsylvania

will ensure that the parties have adequate time to complete the notice process contemplated in the Agreement.