

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 09/11/2019
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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**CHRISTINE RODRIGUEZ, et al.,**

**Plaintiffs,**

**–against–**

**IT’S JUST LUNCH INTERNATIONAL, et al.,**

**Defendants.**

**07-CV-9227 (SN)**

**ORDER GRANTING PLAINTIFFS’  
MOTION FOR PRELIMINARY  
APPROVAL OF SETTLEMENT**

Plaintiffs’ Motion for Preliminary Approval of Settlement (the “Motion”) came before this Court on June 27, 2019. The Court, having considered the proposed Settlement Agreement and the exhibits attached thereto (hereafter, collectively, the “Settlement Agreement”), having considered the Motion and supporting documents, and good cause appearing, HEREBY ORDERS THE FOLLOWING:

1. Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, the Court grants preliminary approval of the Settlement as set forth in the Settlement Agreement, solely for purposes of implementing the Parties’ Settlement Agreement, and finds the terms to be within the range of reasonableness of a settlement that ultimately could be granted approval by the Court at the end of the final Fairness Hearing. The Settlement Agreement is the result of arm’s-length negotiations between experienced attorneys who are familiar with class action litigation in general and with the legal and factual issues in this case in particular.

2. A final fairness hearing on the question of whether the proposed Settlement should be finally approved as fair, reasonable, and adequate is scheduled in this Court, located at 40 Foley Square, Courtroom 219, New York, New York, 10007, on Tuesday, December 10, 2019 at 10:00 a.m.

3. The motion for award of attorney's fees, expenses, and class representative service award shall be filed within 60 days from the date of this Order, on Tuesday, November 12, 2019.

4. The Court approves, as to form and content, the Short-Form Notice of Proposed Class Action Settlement ("Short-Form Notice"), Settlement Claim Form ("Claim Form"), and the downloadable Long-Form Notice of Proposed Class Action Settlement ("Long-Form Notice"), attached as exhibits to the Settlement Agreement.

5. The Short-Form Notice will be distributed as set forth in the Settlement Agreement no later than 30 days after the date of this Order (the "Notice Date").

6. The deadline for objections to the terms of the Settlement Agreement and the deadline for a member of one of the classes bound by the Settlement Agreement ("Class Members") to opt out ("Opt-Out Period") will be 75 days after the date of this Order, on Monday, November 25, 2019.

7. On or before the Notice Date, the downloadable Claim Form and Long-Form Notice will be made available on the website established under the Settlement Agreement for administration of the class action.

8. The Court finds that the forms of notice and methods of giving notice to Class Members regarding the pendency of the action and of this Settlement, constitute the best notice practicable under the circumstances and constitute valid, due, and sufficient notice to all members.

9. The Court further approves the procedures for Class Members to participate in, opt out of, or object to the Settlement, as set forth in the Settlement Agreement and the various forms of notice.

10. To validly object to the Settlement Agreement, an objecting Class Member must provide the following information in the written objection: (i) the objecting Class Member's full

name, current address, and current telephone number; (ii) documentation sufficient to establish membership in the Class; (iii) a statement of the position(s) the objecting Class Member wishes to assert, including the factual and legal grounds for the position; (iv) copies of any other documents that the objector wishes to submit in support of his or her position; (v) whether the objecting Class Member intends to appear at the Fairness Hearing with or without separate counsel; and (vi) if the objecting Class Member intends to appear at the Fairness Hearing with separate counsel, the identities of all attorneys who will separately represent the objecting Class Member.

11. The procedures and requirements for filing objections in connection with the Fairness Hearing are intended to ensure the efficient administration of justice and the orderly presentation of any Class Member's objection to the Settlement Agreement, in accordance with the due process rights of all Class Members.

12. Pending the Fairness Hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this Order, are stayed.

13. Counsel for the Parties are hereby authorized to use all reasonable procedures in connection with the administration of the Settlement which are not materially inconsistent with either this Order or the terms of the Settlement Agreement.

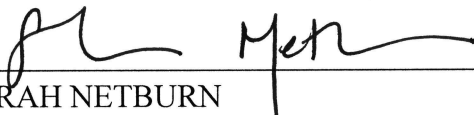
14. To facilitate administration of the Settlement pending final approval, the Court hereby enjoins all Class Members from filing or prosecuting any claims, suits, or administrative proceedings regarding claims released by the Settlement unless and until such Class Members have filed valid requests for exclusion with the Claims Administrator and the time for filing claims with the Claims Administrator has elapsed.

15. The Court orders the following Implementation Schedule for further proceedings:

Event	Timing
Notice Date: (i) last day for Defendants or claims administrator to email and/or mail class notice to class members; (ii) last day to make settlement website, including downloadable claim form and Long-Form Notice, available to the public	30 days after the date of this Order, on Friday, October 11, 2019
Last day for class counsel to file motion for award of attorney’s fees and expenses, and class representative service award.	60 days after the date of this Order, on Tuesday, November 12, 2019
Close of Opt-Out Period: (i) last day for class members to request exclusion; (ii) last day for class members to submit objections.	75 days after the date of this Order, on Monday, November 25, 2019
Fairness Hearing	At least 90 days after the date of this Order, on Tuesday, December 10, 2019 at 10:00 a.m.

**IT IS SO ORDERED.**

September 11, 2019  
New York, New York




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SARAH NETBURN  
United States Magistrate Judge