

IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

RICHARD MCMILLIN, )  
 On behalf of himself and a )  
 class of similarly situated individuals, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 FOGLE ENTERPRISES, INC. and )  
 NOLAN FOGLE, )  
 )  
 )  
 Defendants. )

Case No: 14AF-CC00154-01

**FILED**  
 BARBARA D STILLINGS  
 JUL 17 2018  
 CIRCUIT CLERK  
 CHRISTIAN COUNTY, MO

~~PROPOSED~~ ORDER GRANTING  
PRELIMINARY APPROVAL OF CLASS SETTLEMENT

1. The above-entitled matter came before the undersigned on the Plaintiff's Unopposed Motion for Preliminary Approval of Class Settlement. The Court, having conducted a hearing on July 17, 2018 and carefully reviewed the Class Settlement Agreement ("Settlement Agreement") and the Unopposed Motion in Support, hereby finds as a preliminary matter that the Settlement Agreement is a fair, adequate, and reasonable resolution of a bona fide dispute in contested litigation.

2. Because the Court finds that at this stage the settlement is fair, adequate, and reasonable, the Court further ORDERS that:

3. Plaintiff's Motion for Preliminary Approval of Class Settlement is GRANTED.

4. The Court finds that the notice and distribution method proposed by the parties is fair, just and appropriate and balances the due process rights of all parties with the relative cost of notice and amount of the matter in controversy and settled herein.

5. Richard McMillin is appointed as Class Representative.

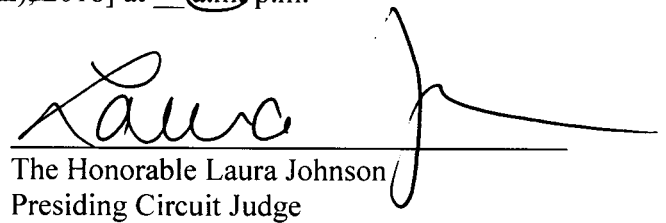
6. Williams Dirks Dameron LLC, the Hodgson Law Firm., and Strong-Garner-Bauer P.C. are appointed as Class Counsel.

7. The Parties are directed to proceed with the administration of the settlement as provided by the terms of the Settlement Agreement, and in particular:

- a. The parties shall provide all necessary information specified in the Settlement Agreement to the Settlement Administrator;
- b. The Settlement Administrator and Defendants shall disseminate Notice to the class in substantially the same format as provided to this Court in the Settlement Agreement;
- c. The Notice Period shall close 90 days after the date of publishing of Notice;
- d. All requests for exclusion, objections, and claim forms must be postmarked or returned in accordance with the Settlement Agreement;
- e. Class Counsel shall file their motion for final settlement approval following the close of the Claims Period; and

f. The Court will hold its final approval hearing on <sup>December 14,</sup> ~~[INSERT DATE (approximately~~  
~~4.5 months after preliminary approval), 2018]~~ <sup>2018</sup> at ~~11:00~~ <sup>11:00</sup> ~~a.m.~~ <sup>p.m.</sup>

DATE: 7/17/18

  
 The Honorable Laura Johnson  
 Presiding Circuit Judge