

of the *Young Insurance* settlement, and to determine whether: (a) final approval of the *Young Insurance* settlement should be granted; and (b) Class Counsel's application for attorneys' fees and expenses, and an incentive award to Class Representatives should be granted. No later than July 28, 2017, Plaintiffs must file their papers in support of Class Counsel's application for attorneys' fees, expenses, and incentive awards. No later than August 29, 2017, Plaintiffs must file their papers in support of Final Approval of the *Young Insurance* settlement and in response to any objections.

3. Claims Administrator Rust Consulting, Inc. shall administer the Notice Plan in accordance with the terms and conditions of this Order and Plaintiffs' Motion for Approval of Class Notice Plan, including direct mail, maintenance of a case-specific website, and telephone support for class members. (Dkts. 858, 860).

4. The Court approves the Cover Letter and Notification to Class Members without material alteration from Exhibit C to the May 11, 2017 Declaration of Tiffaney Janowicz. (Dkt. 860). The Court directs the Claims Administrator to send the Cover Letter and Notification to Class Members by first class U.S. mail, postage prepaid, to the last-known address for each class member who submitted a timely, valid claim for payment from the \$55 million common fund established by Defendants pursuant to the class action settlement in this case that received final approval on March 4, 2011.

5. The Court orders the Parties and the Claims Administrator to complete all aspects of the Notice Plan by June 15, 2017.

6. The Court finds that the Notice Plan (i) is the best practicable notice; (ii) is reasonably calculated, under the circumstances, to apprise class members of their right to object to the proposed *Young Insurance* settlement; (iii) is reasonable and constitutes due, adequate, and sufficient notice to all persons entitled to receive notice; and (iv) meets all applicable requirements of due process and federal law.

7. The Court orders the Claims Administrator, at or before the Final Approval Hearing, to file proof of mailing of the Cover Letter and Notification to Class Members.

8. In the cases of Settlement Class members whose Cover Letter and Notification to Class Members are returned as undeliverable, if the Claims Administrator subsequently obtains a current address for any such Settlement Class Member, the Claims Administrator shall re-mail the Cover Letter and Notification to Class Members to the current address. Class Counsel shall provide the Court with a status report regarding undeliverable mail within 90 days of the Court granting Final Approval of the *Young Insurance* settlement, before making the second distribution contemplated in Plaintiffs' Motion for Approval of Class Notice Plan.

9. Any class member who submitted a timely, valid claim for payment from the \$55 million common fund established by Defendants pursuant to the class action settlement in this case that received final approval on March 4, 2011 may comment in support of, or in opposition to, the *Young Insurance* settlement at his or her own expense; provided, however, that all comments and objections must (i) be filed with the Clerk of the Court or, if the Settlement Class Member is represented by counsel, filed through the CM/ECF system and (ii) be sent via mail, hand or overnight delivery service to the Claims Administrator, no later than the Objection/Exclusion Deadline of August 14, 2017. Any class member who intends to object to this Settlement Agreement must: include his or her name and address; include all arguments, citations, and evidence supporting the objection (including copies of any documents relied on); state that he or she is a class member; provide the name and contact information of any and all attorneys representing, advising, or in any way assisting the objector in connection with the preparation or submission of the objection or who may profit from the pursuit of the objection; and provide a statement indicating whether the objector intends to appear at the Final Approval Hearing either personally or through counsel, accompanied by the signature of the objecting class member. Any counsel representing objecting class members must file an appearance with the Court or seek *pro*

hac vice admission. Any class member who fails to timely file a written objection with the Court and notice of his or her intent to appear at the Final Approval Hearing in accordance with the terms of this Paragraph and as detailed in the Notification to Class Members, and at the same time provide copies to the Claims Administrator, shall not be permitted to object to the *Young Insurance* settlement at the Final Approval Hearing, shall be foreclosed from seeking any review of the *Young Insurance* settlement by appeal or other means, shall be deemed to have waived his or her objections, and be forever barred from making any such objections in the Action or any other action or proceeding.

10. The Claims Administrator shall maintain a post office box to be used for receiving requests for objections, notices of intention to appear, and any other communications.

11. The Claims Administrator shall promptly furnish class counsel and counsel for Defendants with copies of any and all written objections, notices of intention to appear, or other communications that come into its possession, except as otherwise provided in the Settlement Agreement.

IT IS SO ORDERED.

ENTERED: May 23, 2017



HONORABLE MATTHEW F. KENNELLY
UNITED STATES DISTRICT JUDGE