

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

RILLA JEFFERSON, on behalf of herself and
all others similarly situated,

Plaintiff,

v.

GENERAL MOTORS LLC,

Defendant.

No. 2:20-cv-02576

MARK RILEY, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

GENERAL MOTORS LLC,

Defendant.

No. 2:24-cv-02982

**ORDER GRANTING PRELIMINARY APPROVAL OF PARTIES' CLASS ACTION
SETTLEMENT AGREEMENT**

WHEREAS, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, the Parties seek entry of an order preliminarily approving the settlement of these consolidated actions (the “Actions”) pursuant to their settlement agreement (the “Settlement Agreement” or “Settlement”), which, together with its attached exhibits, sets forth the terms and conditions for a proposed class action settlement of the Actions and dismissal of the Actions with prejudice; and

WHEREAS, the Court has read and considered the Settlement and its exhibits, and Plaintiffs’ Motion for Preliminary Approval;

**NOW, THEREFORE, IT IS ON THIS 20TH DAY OF FEBRUARY, 2025,
ORDERED THAT:**

1. This Order incorporates by reference the definitions in the Settlement Agreement, and all terms used in this Order shall have the same meanings as set forth in the Settlement Agreement.

2. The Court has jurisdiction over the subject matter and parties to this proceeding pursuant to the Class Action Fairness Act, 28 U.S.C. §§ 1332(d) & 1453(b).

3. Venue is proper in this District.

4. The Court preliminarily approves the Settlement and finds that the Settlement, including the exhibits attached thereto, is sufficiently fair, reasonable and adequate under Rule 23 to justify preliminary approval of the Settlement, dissemination of notice to the Classes, as set forth below and in the Settlement, and to schedule a Fairness Hearing to determine whether to grant final approval of the Settlement and enter a final approval order and judgment.

5. The Court sets a Fairness Hearing on **Friday, August 22, 2025**, at 10:00 a.m. CT to consider the fairness, reasonableness and adequacy of the proposed Settlement under Fed. R. Civ. P. 23(e)(2) and whether it should be finally approved by the Court, to rule on Class Counsel's request for Attorneys' Fees and Expenses and Service Awards, and to consider whether to enter the Final Order and Judgment.

6. The Court appoints Verita as the Settlement Administrator.

7. The Court approves the forms of Class Notice attached as Exhibits 2, 3 and 4 to the Settlement and directs the Class Notice to be provided in accordance with Section V of the Settlement.

8. The Court approves the Claim Form attached to the Settlement as Exhibit 1, approves the submission of any Claim Forms in accordance with the procedures set forth in the Settlement Agreement, and sets a deadline for submission of any Claim Forms (and any

accompanying Supporting Documentation and/or Proof of Ownership/Lease) of ninety (90) days after the Notice Date.

9. The Court approves the creation of the Settlement Website as described in the Settlement.

10. The Court finds that the Class Notice as provided for in the Settlement is: (1) reasonable and constitutes due, adequate and sufficient notice to all Persons entitled to receive notice; (2) reasonably calculated, under the circumstances, to apprise the Class Members of the pendency of the Actions and of their right to object to or exclude themselves from (as applicable) the proposed Settlement; and (3) meets all applicable requirements of applicable law.

11. Any Person who wishes to exclude himself/herself/itself from the *Jefferson* or *Riley* Class must mail an appropriate, timely Request for Exclusion, postmarked no later than sixty (60) days after the Notice Date, to the Settlement Administrator at the address on the Class Notice.

12. The Court preliminarily enjoins all Settlement Class Members from (1) filing, commencing, prosecuting, intervening in or participating as a plaintiff, claimant or class member in any other lawsuit or administrative, regulatory, arbitration or other proceeding in any jurisdiction based on, relating to or arising out of the claims and causes of action or the facts and circumstances giving rise to the Actions or the Released Claims, (2) filing, commencing or prosecuting a lawsuit or administrative, regulatory, arbitration or other proceeding as a class action on behalf of any Class Members who have not timely excluded themselves (including by seeking to amend a pending complaint to include class allegations or seeking class certification in a pending action), based on, relating to or arising out of the claims and causes of action of the facts and circumstances giving rise to the Actions or the Released Claims and (3) attempting to effect Opt-Outs of individuals or a class of individuals in any lawsuit or administrative, regulatory,

arbitration or other proceeding based on, relating to or arising out of the claims and causes of action or the facts and circumstances giving rise to the Actions or the Released Claims.

13. Any Class Member who does not submit a Request for Exclusion will be bound by all proceedings, orders and judgments in the Actions.

14. Each Class Member who wishes to object to the fairness, reasonableness or adequacy of the Parties' Settlement or to the Attorneys' Fee and Expense Application or the Service Awards must file with the Court and serve on Class Counsel and GM's Counsel, no later than sixty (60) days after the Notice Date, a statement of the objection signed by the Settlement Class Member containing all of the information listed in Section 9.3 of the Parties' Settlement Agreement.

15. Any response to an Objection must be filed with the Court no later than fifteen (15) days prior to the Fairness Hearing.

16. Any Settlement Class Member who does not file a timely written Objection to the Settlement or who fails to otherwise comply with the requirements of Section IX of the Parties' Settlement Agreement shall be foreclosed from seeking any adjudication or review of the Settlement by appeal or otherwise.

17. Any attorney hired by a Settlement Class Member will be hired and compensated at the Settlement Class Member's expense for the purpose of objecting to this Settlement Agreement or to the proposed Settlement or to the Attorneys' Fee and Expense Application or the Service Awards.

18. Any attorney hired by a Settlement Class Member for the purpose of objecting to the proposed Settlement or to the Attorneys' Fee and Expense Application or to the Service Awards and who intends to make an appearance at the Fairness Hearing must provide Class

Counsel and GM's Counsel and file with the Clerk of the Court a Notice of Intention to Appear no later than sixty (60) days after the Notice Date.

19. Any Settlement Class Member who files and serves a written Objection and who intends to make an appearance at the Fairness Hearing must provide Class Counsel and GM's Counsel and file with the Clerk of the Court a Notice of Intention to Appear no later sixty (60) days after the Notice Date.

20. The Settlement Administrator is directed to establish a post office box in its name to be used for receiving Requests for Exclusion and any other communications. Only the Settlement Administrator, GM's Counsel, the Court, the Clerk of the Court and their designated agents shall have access to this post office box, except as otherwise provided in the Settlement Agreement.

21. The Settlement Administrator must, beginning fourteen (14) days after the Notice Date, report to the Parties on a weekly basis the names of all Class Members who have submitted a Request for Exclusion, Claim Form, Supporting Documentation, and/or Proof of Ownership/Lease, and provide to the Parties at their request copies of such Requests for Exclusion, Claim Forms, Supporting Documentation, and/or Proof of Ownership/Lease, or other accompanying documentation.

22. Class Counsel shall file their Attorneys' Fee and Expense Application within thirty (30) days after the Notice Date.

23. The Settlement Administrator must provide a list of all Class Members who have submitted a Request for Exclusion to the Parties no later than twenty (20) days prior to the Fairness Hearing.

24. The Settlement Administrator must file with the Court the list of all Class Members who have submitted a Request for Exclusion along with an affidavit attesting to the completeness and accuracy therefore no later than fifteen (15) days prior to the Fairness Hearing or on such other date as the Parties may determine.

SO ORDERED, this 20th day of February, 2025.

/s/ Jon P. McCalla
JON P. McCALLA
UNITED STATES DISTRICT JUDGE