

<p>CHRISTA ROBEY, on behalf of herself and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>EEG, INC. and FRANK SCHOENEMAN, all conducting business as the "Empire Beauty School,"</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY CAMDEN COUNTY LAW DIVISION</p> <p>DOCKET NO. CAM-L-1462-19</p> <p>Civil Action</p>
--	--

ORDER GRANTING PRELIMINARY, NON-BINDING APPROVAL TO PROPOSED CLASS ACTION SETTLEMENT, APPROVING FORM OF CLASS SETTLEMENT NOTICE AND NOTICE DISTRIBUTION PLAN, AND SCHEDULING A DATE FOR FINAL APPROVAL/FAIRNESS HEARING

This matter having come before the Court upon an unopposed motion by Plaintiff under R. 4:32-2, seeking: (a) preliminary, non-binding approval of a proposed class action settlement; (b) approval of a proposed form of class settlement notice; (c) approval of a proposed plan of notice; and (d) setting a hearing date for the Final Approval/Fairness hearing to determine whether to grant final approval to the proposed class settlement, and the Court having considered the motion papers, and for good cause shown;

IT IS HEREBY ORDERED this 28 day of February, 2020 as follows:

1. The Court grants preliminary, non-binding approval of the proposed class action settlement;
2. This matter shall preliminarily proceed as a class action for settlement purposes only with a Settlement Class defined as follows:

All persons who received one or more cosmetology services at one or more of Defendants' Schools or Clinics in New Jersey between January 13, 2017 and January 13, 2020.

3. The Court preliminarily appoints Plaintiff Christa Robey as the named Class

Representative and preliminarily appoints Stephen DeNittis, Esq. of DeNittis Osefchen Prince, P.C. as Class Counsel.

4. For purposes of the proposed settlement only, the Court finds that this action meets the requirements for certification of a Settlement Class under R. 4:32-1 such that class notice should be provided.

5. The Court appoints Angeion Group as the Settlement Administrator.

6. The Court approves the content of the proposed Claim Form, Postcard Notice, Long Form Notice, and Publication Notice submitted by Counsel.

7. The Court approves the proposed manner of notice distribution set forth in the Settlement Agreement. The Court directs Defendants to provide to the Settlement Administrator a list of any and all persons whom Defendants' records indicate may be class members and their last known email or postal addresses within 15 days of this Order. The Court further directs that within 30 days of this Order, the Postcard Notice shall be sent by first class mail by the Settlement Administrator to all persons whom Defendants' records indicate may be class members at their last known email or postal address as well as published in the *Courier Post* pursuant to the terms set forth in the Settlement Agreement.

8. Within 30 days of this Order the Settlement Administrator shall create a Settlement Website www.empirebeautyschoolsettlement.com, which will contain information describing the settlement and will contain the Claim Form (Exhibit A to Settlement Agreement), the Postcard Notice (Exhibit B to Settlement Agreement), the Long Form Notice (Exhibit C to Settlement Agreement), the Publication Notice (Exhibit E to the Settlement Agreement), information regarding Defendants' location, Class Counsel's contact information, a copy of the Settlement Agreement, and a copy of Plaintiff's complaint. The Postcard Notice, the Long Form Notice and Claim Form will also be posted by Class Counsel in a prominent location on Class

Counsel's website www.denittislaw.com.

9. Any objections to the proposed Class Settlement, or requests for exclusion from the class, must be submitted to the Clerk, post-marked no later than twenty (20) days prior to the Fairness Hearing scheduled in this matter. Pursuant to R. 4:32-2(e)(C), a Final Approval/Fairness hearing on whether to grant final, binding approval to the proposed class action settlement shall be held on June 13, 2020, 2020 (suggested date any date after May 26, 2020) at the Camden County Courthouse, 101 S. Fifth St., Camden, NJ 08001, Courtroom 34 at 10:00 a.m.

10. Any memoranda of law or other documents in support of final approval of the proposed class settlement, copies of any objections or requests from exclusion that have been submitted to class counsel or defense counsel, and an affidavit attesting that class notice has been distributed in a manner consistent with this Order, must be submitted to the Court no later than 10 days prior to the hearing on final approval.

11. In the event that the proposed settlement as provided in the Settlement Agreement is not granted final approval by the Court, then the Settlement Agreement, and all drafts, negotiations, discussions and documentation related thereto and orders entered by the Court in connection therewith shall become null and void. In such event the Agreement and all negotiations and proceedings related thereto shall be withdrawn without prejudice to the rights of any and all parties thereto, who shall be restored to their respective positions as of the date of the execution of the Agreement.

SO ORDERED:

Opposed
 Unopposed


 Steven J. Polansky, P.J.Cv.