

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 19-60785-CIV-SMITH

AARON DONDE, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

FREEDOM FRANCHISE SYSTEMS, LLC, and
FREEDOM ADVENTURES, LLC,

Defendants.

**ORDER AMENDING ORDER PRELIMINARILY APPROVING CLASS ACTION
SETTLEMENT, CERTIFYING SETTLEMENT CLASS,
AND SETTING FINAL APPROVAL HEARING**

On June 25, 2020, the Court entered an Order Preliminarily Approving Class Action Settlement, Certifying Settlement Class, and Setting Final Approval Hearing [DE 42]. The parties subsequently filed a Joint Motion to Add E-Mail Re-Notice and Publication Components to the Notice Plan and to Extend the Deadline for Filing Claims [DE 43], explaining that fewer than 1% of settlement class members had filed claims, notwithstanding an indication that “direct notice of the settlement has been successfully transmitted to more than 90% of settlement class members.”

(Mot. ¶¶ 4, 6.) Upon consideration, it is

ORDERED:

1) The Motion [DE 43] is **GRANTED:**

a. the Administrator shall administer the e-mail re-notice program consisting of an e-mail to all settlement class members for whom the parties have valid e-mail addresses in substantially the same form as the previously approved e-mail notice; and

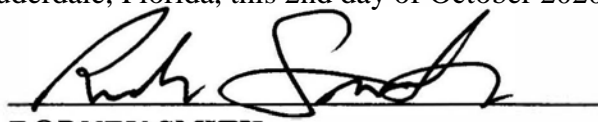
b. the Administrator shall administer the publication notice program consisting of Facebook banner ads directing consumers to the settlement website that is targeted towards Facebook accounts associated with settlement class members’ telephone numbers and e-mail addresses.

2) Settlement deadlines are amended as follows:

<u>Event</u>	<u>Original Date</u>	<u>New Date</u>
Deadline for Completion of Notice Program	July 26, 2020	October 20, 2020
Deadline for opting-out of Settlement and submission of objections	October 2, 2020	October 24, 2020
The last day that Settlement Class members may submit a Claim Form to the Settlement Administrator.	October 5, 2020	October 27, 2020
Responses to Objections	October 19, 2020	October 29, 2020
Defendants shall file a notice of compliance with 28 U.S.C. § 1715(b)	October 20, 2020	October 30, 2020
The Final Approval Hearing	November 3, 2020	November 3, 2020

3) All other terms of the Order Preliminarily Approving Class Action Settlement, Certifying Settlement Class, and Setting Final Approval Hearing not specifically modified by this order shall remain in full force and effect.¹

DONE AND ORDERED in Fort Lauderdale, Florida, this 2nd day of October 2020.


RODNEY SMITH
UNITED STATES DISTRICT JUDGE

¹ References to a Service Award are now ineffective. See *Johnson v. NPAS Sols., LLC*, No. 18-12344, 2020 WL 5553312, at *12 (11th Cir. Sept. 17, 2020) (incentive awards prohibited).