

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>KIM SEGEBARTH and SUSAN STONE,</b>	:	
<b>individually and on behalf of all others</b>	:	
<b>similarly situated,</b>	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	<b>Civ. No. 19-5500</b>
	:	
<b>CERTAINTIED LLC,</b>	:	
<b>Defendant.</b>	:	

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**ORDER**

On August 2nd, I granted Plaintiff's Motion for Preliminary Approval of Class Action Settlement. (Doc. No. 53.) The Order set forth various deadlines in advance of a final approval hearing. (Doc. No. 53.) On August 16, 2022, the Parties filed a Joint Motion to Modify the Preliminary Approval Order (Doc No. 55), requesting, *inter alia*, that I modify my Order (Doc. No. 53) to provide a date by which the parties must file an Amended Settlement and provide notice under the Class Action Fairness Act, 28 U.S.C. § 1715(b). I will grant the Motion.

**AND NOW**, this 18th day of August, 2022, upon consideration of the Parties' Joint Motion to Modify the Preliminary Approval Order (Doc. No. 55), it is hereby **ORDERED** that Plaintiffs' Motion (Doc. No. 55) is **GRANTED** as follows:

1. The Parties shall **FILE** the fully Amended Settlement and Notice Forms **no later than September 2, 2022;**
2. Defendant CertainTEED LLC ("CertainTeed") must **PROVIDE** Notice pursuant to 28 U.S.C. § 1715(b) ("CAFA Notice") **no later than September 12, 2022;**
3. The Notice Provider shall implement the Class Notice Plan as set forth in the Declaration of Steven Weisbrot of Angeion Group LLC (Doc. No. 31-4). The Notice Provider shall (1) **SEND** by first-class U.S. mail the Class Notice and any necessary Election forms to

those Class Members for whom Defendant CertainTEED has a mailing address and (2)

**BEGIN** the digital media campaign **no later than September 23, 2022**;

4. Class Counsel shall **MOVE** for attorneys' fees and costs and a service award for the Class Representatives **no later than November 2, 2022**;
5. Any Class Member who wishes to object to the Settlement Agreement, the proposed Claims Program Procedures, the Request for Attorneys' Fees and Expenses or the Class Representatives Incentive Award, or otherwise be heard concerning this settlement shall **FILE** an Objection with the Court. The Objection must be postmarked **no later than November 22, 2022**. The Objection must set forth: (1) the Objector's name and contact information; (2) the name and address of Objector's counsel (if represented); (3) a written statement of any objections to the Settlement; and (4) the signature of the Objector (or his or her attorney). Any Class Member who fails to make his or her objection in this manner shall be deemed to have **WAIVED** such objection;
6. Any Class Member who wishes to exclude himself or herself from the Settlement must submit a request for exclusion pursuant to Section 11 of the Settlement Agreement **no later than November 22, 2022**. Any Class Member who fails to request exclusion by this deadline will be bound by all terms of the Settlement Agreement and any subsequent proceedings and orders.
7. The Notice Provider and Claims Administrator shall **JOINTLY FILE**, **no later than December 7, 2022**, a declaration confirming that the Class Notice and other required documents were sent to the Class;
8. Plaintiffs shall **FILE**, **no later than December 7, 2022**, their Motion for Final Approval; and
9. A hearing on final approval and fairness of the Amended Settlement shall be held on

**December 22, 2022 at 1:00 p.m.** in Courtroom 14A at the United States Courthouse, 601 Market Street, Philadelphia, PA 19106.

**AND IT IS SO ORDERED.**

*/s/ Paul S. Diamond*

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Paul S. Diamond, J.