

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MICHAEL BENTLEY, *et al.*, on behalf
of themselves and all others similarly
situated,

Plaintiffs,

v.

LG ELECTRONICS U.S.A., INC.,

Defendant.

Case No. 2:19-cv-13554-MCA-MAH
(consolidated with Case Nos. 2:19-cv-
15185-MCA-MAH, 2:19-cv-15826-MCA-
MAH, and 2:20-cv-07652-MCA-MAH)

**SECOND STIPULATION AND
CONSENT ORDER EXTENDING
SETTLEMENT DEADLINES**

WHEREAS, Plaintiffs Terry Driscoll, Cheryl Ervin, Leah Scala Israel, Sarah Johnson, Sam Lee, Patrick Romano, Carlos Stocco, Diane Terry, and Michael Burrage (“Plaintiffs”) and Defendant LG Electronics America, Inc. (“LG” or “Defendant”) entered into a Settlement Agreement on July 21, 2020, which set forth the terms and conditions for a proposed class settlement of this action, including a Notice Plan to provide notice of the Settlement to approximately 1.55 million Settlement Class Members through a variety of means, including email, direct mail, advertising, and digital outreach;

WHEREAS, on August 14, 2020, Plaintiffs moved for preliminary approval of the parties’ Settlement Agreement under Federal Rule of Civil Procedure 23(e) (ECF No. 49);

WHEREAS, on August 19, 2020, the Court entered an Order Granting Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement and

Providing for Notice (“Preliminary Approval Order”) (ECF No. 52), which included approval of the parties’ Notice Plan as set forth in the Settlement Agreement;

WHEREAS, pursuant to the Preliminary Approval Order, Angeion Group, LLC was appointed as the Settlement Administrator and directed to substantially complete the Notice Plan by September 8, 2020, and the Court further directed that any objections or requests for exclusion by Settlement Class Members must be postmarked within 60 days of the Notice Date, or November 9, 2020 (the “Objection and Opt-Out Deadline”);

WHEREAS, on September 8, 2020, the Court approved and entered the Parties’ Consent Order that extended certain deadlines by two weeks such that the Parties were directed to substantially complete the Notice Plan by September 22, 2020, and further directed that the Objection and Opt-Out Deadline would be extended to November 23, 2020;

WHEREAS, the Parties and the Settlement Administrator have been working diligently to compile the necessary information for the Settlement Administrator to implement the Notice Plan, and in light of the issues below in implementing some aspects of the Notice Plan, respectfully request that the Court approve the adjustment of certain dates to ensure Settlement Class Members have adequate time to exercise their rights under Settlement;

WHEREAS, to ensure adequate notice, Class Counsel issued subpoenas to 23 retailers of LG Refrigerators in the United States and the retailers, in many cases after the entry of the Court’s Preliminary Approval Order, produced records

containing names, addresses, and in some cases, email addresses, of possible Settlement Class Members in varying formats and databases;

WHEREAS, in addition, LG has also produced to the Settlement Administrator additional files containing additional records which required formatting and processing;

WHEREAS, the mailed Notice is comprised of the Notice of Settlement, Claim Form, and Enhanced Warranty Claim Form, and the Settlement Agreement called for some of these forms to be pre-populated with certain data from LG's records, and, as a result, the preparation and printing of these Notices was more time consuming than a typical mailed notice;

WHEREAS, following the production of the data sets described above, Class Counsel and LG worked with the Settlement Administrator on deduplication and verification of the retailer records, and authorized the Settlement Administrator to mail the long-form Notice of Settlement, Claim Form and Enhanced Warranty Claim Form to approximately 1,250,000 potential Settlement Class Members, and further email links to the Notice of Settlement, Claim Form and Enhanced Warranty Claim Form to approximately 978,000 potential Settlement Class Members (many of which overlap with the mailed Notice recipients);

WHEREAS, the number of mailed and emailed notices is substantially larger than originally contemplated, and, as a result, it took Angeion additional time to process that data and prepare and distribute the Notices;

WHEREAS, Angeion has represented that the mailing of the approximately 1,250,000 notices was completed by November 6, 2020;

WHEREAS, the Parties and the Settlement Administrator have conferred and agree that due to the additional work required to complete the features of the Notice Plan described above, an extension of the Objection and Opt-Out Deadline, and the Claim Period is appropriate;

NOW THEREFORE, the parties hereby stipulate and agree as follows:

1. The Objection and Opt-Out Deadline shall be extended from November 23, 2020 to December 10, 2020; and the Claim Deadline shall be extended from January 11, 2020 to February 5, 2021; and

2. Angeion shall issue a press release in English and Spanish announcing the extension of these dates and update these dates prominently on the Settlement Website.

Dated: November 12, 2020

s/ Amey J. Park

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PROPOSED ORDER

This Court approves the Parties' Stipulation extending the Settlement deadlines. It is hereby ordered that the Objection and Opt-Out Deadline is extended to December 10, 2020 and the Claim Deadline is extended to February 5, 2021.

Dated: November 16, 2020



HONORABLE MADELINE COX ARLEO
UNITED STATES DISTRICT JUDGE