

NO. 15-CI-695

JEFFERSON CIRCUIT COURT
DIVISION TEN
JUDGE ANGELA MCCORMICK BISIG

TERESA LONG

PLAINTIFF

On behalf of herself and a class of
similarly situated persons,

v.

THE UPS STORE, INC.,
THE BRITT-TIFF COMPANY, ET AL.

DEFENDANTS

*** **

**ORDER PRELIMINARILY APPROVING
CLASS ACTION SETTLEMENT**

Upon the motion of Plaintiff and Class Representative, Mrs. Teresa Long ("Mrs. Long"), and consistent with the Settlement Agreement between the parties attached thereto, and the Court being sufficiently advised, the Court grants the motion and orders as follows:

1. The Settlement Agreement is preliminarily approved, including all terms therein (hereinafter "Settlement"), subject to final approval by the Court after Notice to the Class.
2. The Settlement is fair, reasonable and adequate to the Class and meets the requirements of Ky. CR 23 and applicable law.
3. The Class has been certified as set forth in the Court's Order of October 10, 2019. Likewise, Class Counsel and Class Representative have been appointed in that Order.
4. Notice shall be provided to the class as set forth in the Settlement Agreement, including the U.S. mail notice set forth in Section 5.1(f) of the Settlement Agreement. Such notice is reasonable, pursuant to Ky. CR 23.05(1).
5. A hearing for final approval of the Settlement is scheduled for _____, 2021. Within 7 days prior to the hearing, Class Counsel shall file a proposed Final Order approving

the Settlement as described in the Settlement Agreement, including distribution of the Monetary Fund, and supporting Affidavits regarding the request for attorney fees.

6. Prior to or at the final hearing on final approval, Plaintiff and Defendants Forty One Adventures, Inc. and JZJ, Inc., shall inform the Court of the resolution of the claims between them, and such Defendants shall not be released unless included in the final approval order.

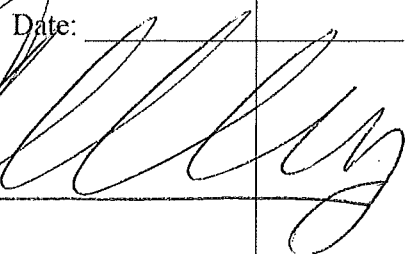
7. Pursuant to section 10.1 of the Settlement Agreement, within 7 days of the date of this Order, Franchisee Defendants shall pay the Monetary Fund the Abell Rose LLC Escrow Account, care of Class Counsel.

8. Pending final approval of the Settlement, all parties and all Class Members (and any persons acting on their behalf) are preliminarily enjoined from taking any action inconsistent with the Settlement.

9. The Court grants Defendants' objection regarding handwritten Notary logs contained in

Judge Angela McCormick Bisig
JCC, Div. 10

§ 5, 5.1
(F) of
the
proposed
settlement
agreement

Date: 

Angela McCormick-Bisig
Circuit Division 10

2/10/2021

Tendered by:

/s/ Joshua T. Rose
Joshua T. Rose
T. Scott Abell
Abell Rose LLC
108 South Madison Avenue
Louisville, Kentucky 40243
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Counsel for Plaintiff and the Class