



4. Due notice of the pendency of this litigation, the substance of the proposed Settlement, and the Fairness Hearing was ordered given in the form and manner approved and directed in the Court's Order (Dkt. #88).

5. Defendant has shown, and this Court finds, that the Class Notice was timely provided in accordance with the Court's Order. The dissemination of the Class Notice in this manner was the best notice to the Class practical under the circumstances and satisfies the requirements of due process and Federal Rule of Civil Procedure 23.

6. Pursuant to the Class Notice, all interested persons were given notice that the Court would hold a hearing on the joint motion for final approval on April 17, 2019 (the "Fairness Hearing").

7. On April 17, 2019, the Court conducted a Fairness Hearing pursuant to Fed. R. Civ. P. 23(e)(2), affording the parties and all other interested persons the opportunity to be heard in support of and in opposition to the proposed settlement agreement. After reviewing and considering the papers filed in support of the settlement agreement, the evidence, and argument, submitted at the Fairness Hearing, the Court has made a finding that the settlement agreement is fair, reasonable and adequate to bind class members.

The Court having fully considered the matter and good cause appearing, hereby ORDERS, ADJUDGES AND DECREES as follows:

1. Judgment is entered pursuant to the terms of the Settlement Agreement incorporated herein and attached as Exhibit A to this Judgment.
2. This action is dismissed without prejudice in accordance with the terms of the Settlement Agreement. All prior orders for temporary or preliminary relief are hereby dissolved.

3. In accordance with the terms of the Settlement Agreement, the Court retains jurisdiction to enforce the terms of the Settlement Agreement.

4. Pursuant to paragraph 23 of the Settlement Agreement, the Settlement Agreement settles all claims against the Defendant in this lawsuit.

5. The Court finds that no just reason exists for delay in entering this Judgment pursuant to the Settlement Agreement. Accordingly, the Clerk is hereby directed to enter this Final Judgment, dismissing the action without prejudice.

**ENTER:**



**Honorable Robert M. Dow, Jr.  
United States District Judge**

**Dated: 4/17/19**