

ATTORNEYS FOR PLAINTIFFS
ANAPOL WEISS
BY: DAVID S. SENOFF, ESQUIRE
ATTORNEY I.D. No. 65278
ONE LOGAN SQUARE
130 NORTH 18TH STREET, SUITE 1600
PHILADELPHIA, PA 19103
(215) 735-1130
DSENOFF@ANAPOLWEISS.COM

CEFALO AND ASSOCIATES
BY: MICHAEL J. CEFALO, ESQUIRE
ATTORNEY I.D. No. 16061
309 WYOMING AVENUE
WEST PITTSBURGH, PA 15122
(724) 655-5555
MCEFALO@CEFALOANDASSOCIATES.COM

IN THE COURT OF COMMON PLEAS OF LUZERNE COUNTY, PENNSYLVANIA-
CIVIL DIVISION

NIGEL KING, BRANDON LEWIS
TAYLOR TRISCHETTA,
AND ERIC LEWIS

PLAINTIFFS

v.

ALBERT AND CAROL MUELLER
LIMITED PARTNERSHIP,
ALBERT MUELLER, CAROL
MUELLER, JPMORGAN CHASE &
CO., AND JPMORGAN CHASE BANK,
N.A.

DEFENDANTS

FILE NO. 2014-8688

CIVIL ACTION-CLASS ACTION

FILED
PROthonotary
LUZERNE COUNTY
2017 SEP -1 AM 11:11

ALISHA SICILIANO, Individually,
and on Behalf of all Similarly Situated
Persons; CASSIE STARETZ;
SAMANTHA LYNN EARLY;
and JUSTIN ECK

Plaintiffs,

v.

ALBERT/CAROL MUELLER T-A
McDONALDS; ALBERT and CAROL
MUELLER LTD PARTNERSHIPS;
ALBERT MUELLER, Individually; and
CAROL MUELLER, Individually

Defendants.

File No. 2013-7010

CIVIL ACTION-CLASS ACTION

**ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION
SETTLEMENT AND CERTIFYING SETTLEMENT CLASS**

AND NOW, this 1st day of September, 2017, the Court, having considered the Master Settlement Agreement dated August 11, 2017 (the "Agreement"), and the Motion for Preliminary Approval of Master Settlement Agreement and Related Relief (the "Motion for Preliminary Approval") and having considered all of the submissions and arguments with respect to the Settlement, and otherwise being fully informed, and good cause appearing therefore;

IT IS HEREBY ORDERED AS FOLLOWS:

1. This Preliminary Order and Judgment ("Preliminary Approval Order") incorporates herein and makes a part hereof, the Agreement and its exhibits and the Motion for Preliminary Approval and its exhibits. Unless otherwise provided herein, the terms defined in the Agreement shall have the same meanings for purposes of this Preliminary Approval Order.

2. Based on the record before the Court, including all submissions in support of the Settlement set forth in the Agreement and all prior proceedings in the Class Actions, as well as the Agreement itself and its related documents and exhibits, the Court hereby conditionally certifies the following Settlement Class for settlement purposes only:

All current and/or former hourly employees of the Mueller Defendants who worked at one of the McDonald's restaurants owned and operated by the Mueller Defendants between November 5, 2010 and July 2013 and who were required to and did receive payment of wages for their employment in whole or in part via a payroll card issued by JPMorgan Chase Bank, N.A. ("Payroll Card").

3. The Agreement is preliminarily approved as reasonable, and secures an adequate advantage for the proposed Settlement Class, as pursuant to Pennsylvania Rules of Civil Procedure 1714(a).

4. The Court finds, for settlement purposes and conditioned upon the occurrence of the Effective Date, that the Settlement Class meets all the applicable requirements of Rules 1701, *et seq.* of the Pennsylvania Rules of Civil Procedure.

5. The Court finds that the named Plaintiffs have adequately represented the Settlement Class for purposes of entering into and implementing the Agreement and hereby appoints the named Plaintiffs as Representative Plaintiffs.

6. The Court appoints David S. Senoff, Esquire of Anapol Weiss, and Michael J. Cefalo of Cefalo & Associates as Plaintiffs' Class Counsel.

7. Notice shall be provided in accordance with the Agreement, that is, on or before Sept. 15, 2017 (fourteen (14) calendar days following the issuance of the Preliminary Approval Order).

8. Settlement Class Members shall submit their Participation Forms, or their objections or requests for exclusion (Opt-Out) in accordance with the Agreement on or before Oct. 16, 2017 (forty-four (44) days following the issuance of the Preliminary Approval Order).

9. The Court will hold a Settlement Hearing to finally determine whether the settlement is fair, reasonable, and adequate on Oct. 24, 2017 at 10:00 a.m. in Courtroom 3rd floor, 200 North River Street, Wilkes-Barre, Luzerne County, Pennsylvania.

IT IS SO ORDERED.

Dated: September 1, 2017

BY THE COURT:

Thomas F. Burke, Jr.
J. Thomas F. Burke, Jr.