

JAN 17 2017

JAMES N. HATTEN, Clerk
By: *[Signature]* Deputy Clerk

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

GLENN D. FENDERSON and DEBRA)
A. MILLER, on behalf of themselves)
and others similarly situated,)

Plaintiffs,)

v.)

FREDERICK J. HANNA &)
ASSOCIATES, P.C.,)

Defendant.)

Case No.: 1:15-cv-00964-ODE-JFK

ORDER OF FINAL APPROVAL OF
CLASS ACTION SETTLEMENT

On February 5, 2016, Glenn D. Fenderson and Debra A. Miller (“Plaintiffs”) filed their unopposed motion to preliminarily approve the parties’ proposed class settlement.

On February 19, 2016, Defendant served the Class Action Fairness Act (“CAFA”) notice required by 28 U.S.C. § 1715 on the United States Attorney General and the Attorneys General of the States of Georgia and Maryland.

On October 17, 2016, this Court preliminarily approved the parties’ proposed settlement.

On November 7, 2016, First Class, Inc. distributed notice of the parties' proposed class settlement, as ordered.

On December 27, 2016, Plaintiffs filed their unopposed motion to finally approve the parties' proposed settlement.

On January 17, 2017, this Court held a fairness hearing regarding Plaintiffs' and Defendant's proposed settlement.

Having considered Plaintiffs' unopposed motion, this Court finally approves the proposed settlement.

This Court also confirms that it has jurisdiction over this matter and the parties to it.

This Court further certifies the following class, for settlement purposes, under Federal Rule of Civil Procedure 23:

All persons with a Georgia or a Maryland address, to whom Frederick J. Hanna & Associates, P.C. mailed an initial debt collection communication that stated: "If you notify this firm within thirty (30) days after your receipt of this letter, that the debt or any portion thereof, is disputed, we will obtain verification of the debt or a copy of the judgment, if any, and mail a copy of such verification or judgment to you," between April 2, 2014 and April 2, 2015, in connection with the collection of a consumer debt on behalf of Bank of America, N.A.

This Court finds that this matter meets the applicable prerequisites for class action treatment under Federal Rule of Civil Procedure 23, namely:

1. The class members are so numerous that joinder of all of them is impracticable;
2. There are questions of law and fact common to the class members, which predominate over any individual questions;
3. Plaintiffs' claims are typical of the class members' claims;
4. Plaintiffs and Class Counsel have fairly and adequately represented and protected the interests of all of the class members; and
5. Class treatment of Plaintiffs' claims will be efficient and manageable, thereby achieving an appreciable measure of judicial economy, and a class action is superior to other available methods for a fair and efficient adjudication of this controversy.

This Court also appoints Glenn D. Fenderson and Debra A. Miller as class representatives, and the following attorney and law firm as Class Counsel:

Jesse S. Johnson
Greenwald Davidson Radbil PLLC
5550 Glades Road, Suite 500
Boca Raton, Florida 33431

See, e.g., Gonzalez v. Dynamic Recovery Solutions, LLC, Nos. 14-24502, 14-20933, 2015 WL 738329, at *2 (S.D. Fla. Feb. 23, 2015) (granting final approval of FDCPA class settlement and appointing Greenwald Davidson Radbil PLLC class counsel).

This Court approves the terms of the parties' settlement, the material terms of which include, but are not limited to:

1. Defendant will create a common fund in the amount of \$8,145.00, which will be distributed on a pro-rata basis to each of the 543 class members who did not exclude themselves from this settlement, pursuant to 15 U.S.C. § 1692k(a)(2)(B)(ii).
2. Defendant will pay to Plaintiffs \$1,000.00 each pursuant to 15 U.S.C. § 1692k(a)(2)(B)(i), and an additional \$500.00 each for their service to the class, for a total sum of \$1,500.00 each.
3. Defendant will pay the costs of notice and administration of the settlement separate and apart from any monies paid to Plaintiffs, class members, or Class Counsel.

This Court additionally finds that the parties' notice of class action settlement, and the distribution thereof, satisfied the requirements of due process under the Constitution and Federal Rule of Civil Procedure 23(e), that it was the best notice practicable under the circumstances, and that it constitutes due and sufficient notice to all persons entitled to notice of the class action settlement.

This Court similarly finds that the parties' notice of class action settlement was adequate and gave all class members sufficient information to enable them to make informed decisions as to the parties' proposed settlement, and the right to object to, or opt out of, it.

This Court additionally finds that Plaintiffs' and Defendant's settlement, on the terms and conditions set forth in their class action settlement agreement, is in all

respects fundamentally fair, reasonable, adequate, and in the best interests of the class members.

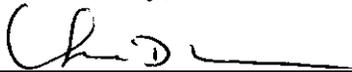
This Court finds that the class members were given a fair and reasonable opportunity to object to the settlement. No class member objected to the settlement or requested exclusion. This order is thus binding on all class members.

This Court approves the individual and class releases set forth in the class action settlement agreement. The terms of the parties' settlement agreement are incorporated into this Order. This Order shall operate as a final judgment and dismissal with prejudice of all claims by all parties in this action.

The Court awards a total of \$ 45,000.00 for Class Counsel's costs, expenses, and attorneys' fees.

This Court retains continuing and exclusive jurisdiction over the parties and all matters relating this matter, including the administration, interpretation, construction, effectuation, enforcement, and consummation of the settlement and this order.

IT IS SO ORDERED, this 17 day of January, 2017.



THE HON. ORINDA D. EVANS
United States District Judge