



- a. All natural persons employed by Defendants at JAC Molesworth during the Class Period from January 1, 2015 through June 30, 2022.

Excluded from the Class are: corporate officers, members of the boards of directors, and senior leaders of Defendants; employees of the United States government employed at JAC Molesworth during the Class Period; and any and all judges and justices, and chambers' staff, assigned to hear or adjudicate any aspect of this litigation.

3. That, for the purposes of approving the proposed settlement only, the Proposed Class meets the requirements for certification of a settlement class under Fed. R. Civ. P. 23(a) and 23(b)(3): (a) the Proposed Class is ascertainable and so numerous that joinder of all members of the Class is impracticable; (b) there are questions of law or fact common to the Proposed Class; (c) Plaintiffs' claims are typical of the claims of members of the Proposed Class; (d) Plaintiffs and their counsel will fairly and adequately protect the interests of the Proposed Class; (e) common issues predominate over individual issues; and (f) a class action is superior to the other available methods for an efficient resolution of this controversy.

4. That these conditional findings are limited solely to the claims brought on behalf of the Proposed Class and are for the purposes of certifying the Rule 23 class only. Defendants consent to certification of the Proposed Class only and do not waive any arguments they have opposing class certification if the Court declines to approve the settlement. No party may cite or refer to the Court's preliminary approval of the Settlement Class as persuasive or binding authority with respect to any motion to certify any such class or any Defendant's motion.

5. That, on a preliminary basis, the proposed settlements (ECF Nos. 170-2, 253-2) fall within the "range of reasonableness" and, therefore, preliminary approval is appropriate, subject to a fairness hearing for final approval of the settlements (the "Fairness Hearing"). Based on a review of the papers submitted by the parties, this Court finds that the settlements are the result of

arms-length negotiations conducted after Class Counsel has adequately investigated the claims and became familiar with the strengths and weaknesses of those claims.

6. That the settlement process will be administered by Class Counsel.

7. That the Joseph Saveri Law Firm, LLP, and Gibbs Law Group LLP are appointed as Settlement Class Counsel, having determined that the requirements of Rule 23(g) are fully satisfied by this appointment, and that each Plaintiff named in the operative complaint will serve as a Plaintiff class representative on behalf of the Proposed Class.

8. That Rust Consulting, Inc., is appointed as the Settlement Administrator, and will provide notice of the settlements based on a class list developed by Class Counsel, with the help of Defendants. Defendants will provide names and last known mailing and email addresses to Class Counsel for Settlement Class Members who currently are, or were formerly, employed by Defendants, within fourteen (14) days of entry of this Order.

9. That the Notices of Settlement (ECF Nos. 170-5, 253-6), as amended (*see* ECF No. 256), will provide the best notice practicable, satisfy the requirements of Rule 23(e), adequately advise the Proposed Class of their rights under the proposed settlements, and meet the requirements of due process, ***with the following adjustments:***

- a. The Notices of Settlement fairly, plainly, accurately, and reasonably inform the Proposed Class of: (1) appropriate information about the nature of this Action, the definition of the class, the identity of Class Counsel, and the essential terms of the settlement; (2) appropriate information about Plaintiffs' and Class Counsel's forthcoming applications for the class representative's service payment and Class Counsel's attorney's fees and litigation cost awards; (3) appropriate information about how to claim a

share of the proceeds under the settlement, and about the Proposed Class members' right to appear through counsel if they so desire; and (4) appropriate instructions about how to obtain additional information regarding this case and settlement.

- b. The proposed plan for sending the Notices of Settlement to the Proposed Class members by first-class mail (with long-form notices of both settlements in a single envelope) and email is an appropriate method, reasonably designed to reach all individuals who would be bound by the settlement.
- c. The Notice of Settlement with respect to Booz Allen Hamilton, Inc. ("BAH"), and Mission Essential Personnel, LLC ("MEP"), *does not*, however, properly inform the Proposed Class of the plan of distribution, as the proposed language is insufficiently precise and refers to further information in a website that has not been presented to the Court. (ECF No. 253-6 at 5; *cf.* ECF No. 253 at 9 (explaining in detail the plan of distribution)). Additionally, neither the Notice of Settlement with respect to the CACI Defendants (ECF No. 170-5) nor the Notice of Settlement with respect to BAH and MEP (ECF No. 253-6) properly inform the Proposed Class that the deadline for objecting to or requesting exclusion from the settlement is twenty-eight (28) days after the date mailed and emailed notices are sent; instead both Notices simply list the date of the deadline. Accordingly, Plaintiffs are **ORDERED** to file an amended notice that

complies with the aforementioned requirements, within **fourteen (14) days** from the date of this Order.

10. That the attorney’s fees and costs requested will be approved at or after the final fairness hearing.
11. That the Parties are ordered to carry out the settlements according to its terms.
12. That further proceedings are to adhere to the following schedule:<sup>1</sup>

EVENT	SCHEDULE
Plaintiffs to Provide Amended Notices of Settlement	Within 14 days of this Order
Defendants to Provide Names and Last Known Addresses	Within 14 days of approval of Amended Notices of Settlement
Notices of Class Action Settlements to be Mailed and Emailed	Within 28 days of approval of Amended Notices of Settlement
Deadline for Settlement Class Members to Object to and/or Request Exclusion from the Settlement Class (Objection/Opt-out Deadline)	28 days from the Notice of Class Action Settlement being mailed and emailed
Deadline for Motions for Final Approval, Reimbursement of Litigation Costs and Expenses, and Affidavits of Compliance with Notice Requirements	35 days prior to the Fairness Hearing
Opposition(s), if any, to Motion for Final Approval and Reimbursement of Expenses	20 days prior to the Fairness Hearing
Replies in Support, if Memoranda in Opposition are Filed	10 days prior to the Fairness Hearing

13. That a Final Hearing will be held on **Wednesday, April 12, 2023, at 9:30 a.m.**, in Courtroom 1, Room 331 of the Joseph P. Kinneary United States Courthouse located at 85 Marconi Blvd., Columbus, Ohio. Any objectors wishing to be heard through themselves or counsel must

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<sup>1</sup> This Court adheres to the schedule requested by Plaintiffs in their motion for preliminary approval (ECF No. 253).

comply with the terms of the Class Notice to submit written objections and to appear at the Final Hearing to present such objections.

14. That in the event that the settlement is not given final approval, or otherwise does not become effective, the Parties shall revert to their respective positions as of before entering into the settlement.

Pursuant to the foregoing analysis, Plaintiffs' Motions for Preliminary Approval of Class Action Settlements (ECF Nos. 170, 253) are **GRANTED IN PART and DENIED IN PART**. Plaintiffs are **ORDERED** to file amended notices that comply with the abovementioned modifications, within **fourteen (14) days** from the date of this Order. Upon approval of that amended notice, the Notice Period shall commence.

**IT IS SO ORDERED.**

  
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**ALGENON L. MARBLEY**  
**CHIEF UNITED STATES DISTRICT JUDGE**

**DATED: December 19, 2022**