



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

| | | |
|-------------------------------------|---|----------------------------------|
| RAY G. BRIGGS, |) | |
| on behalf of Plaintiff and a class, |) | |
| |) | |
| Plaintiff, |) | Case No. 2020-CH-04980 |
| |) | |
| vs. |) | Honorable Judge Alison C. Conlon |
| |) | |
| LAND HOME FINANCIAL |) | |
| SERVICES, INC. and |) | |
| ATLANTICA, LLC, |) | |
| |) | |
| Defendants. |) | |

[PROPOSED] PRELIMINARY APPROVAL ORDER

This matter coming before the Court on the joint request of the parties for preliminary approval of a Class Action Settlement Agreement, and based upon the papers submitted to the Court and all of the proceedings had in this matter to date, IT IS HEREBY ORDERED:

1. Solely for purposes of settlement, the following Settlement Class is provisionally certified pursuant to 735 ILCS 5/2-801, et seq.:

(a) All individuals with addresses in the United States (b) to whom Land Home Financial Services, LLC sent a notice in the form represented by Exhibit A (which was attached as Appendix B (referred to as Exhibit 2) to the Complaint) (c) which failed to state, identified as such, the amount of the debt as of the date of the notice (d) which notice was sent on or after a date one year prior to the filing of this action.

2. Based on the parties' stipulations, and for settlement purposes only:

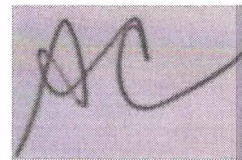
(A) The class as defined is sufficiently numerous such that joinder is impracticable;

6. Class Members shall have 60 days from the date Notice is Mailed to opt out or object to the proposed Settlement Agreement.

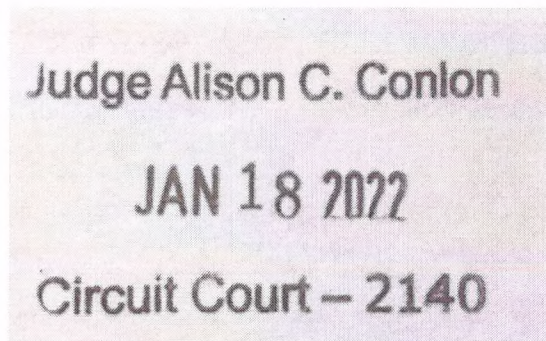
7. Any Class Member who objects to the settlement contemplated by the Settlement Agreement shall have a right to appear and be heard at the Final Approval Hearing provided that such Class Member files with the Court and delivers to Class Counsel and Defendant's counsel a written notice of objection together with a statement of reasons for the objection, postmarked no later than 60 days from the date the settlement class notice is mailed. Class Counsel and Defendant's counsel may, but need not, respond to the objections, if any, by means of a memorandum of law no later than five (5) days prior to the Final Approval Hearing.

8. A Final Approval Hearing on the fairness and reasonableness of the Settlement Agreement will be held before this Court on Thursday, June 30, 2022 at 10:30 am (Central) by Zoom unless notified otherwise by the Court. Zoom Meeting ID Number: 974 5431 3798 Password: 501494.

SO ORDERED this ____ day of _____, 2021.



Honorable



Judge Alison C. Conlon
JAN 18 2022
Circuit Court - 2140

- (B) Common questions of law and fact predominate over any questions affecting only individual Class Members, and include whether Defendant Land Home Financial Services, Inc. violated the Fair Debt Collection Practices Act when it sent validation notices which did not accurately reflect the current amounts owed.
- (C) The claims of Ray G. Briggs are typical of the Class Members' claims;
- (D) Plaintiff Ray G. Briggs is an appropriate and adequate representative for the Class and their attorneys, Daniel A. Edelman and Tara L. Goodwin and Edelman, Combs, Lattuner and Goodwin, LLC, are hereby appointed as Class Counsel; and

3. The Court finds that the proposed settlement is within the range of fairness and reasonableness and grants preliminary approval to it. In the event that the proposed settlement is not finally approved for any reason, Defendant shall, pursuant to the Settlement Agreement, retain its right to contest certification of the Class.

4. The Court approves the proposed form of notice to the Class, and directs that notice be implemented in accordance with the Settlement Agreement. Defendant shall provide the class list to the Settlement Administrator within 15 business days of entry of this Order, and the notice shall be mailed within 30 days after the class list is provided.

5. The Court finds that the notice proposed in paragraph 16 of the Settlement Agreement is the only notice to the Class Members that is required and further finds that such notice satisfies the requirements of due process and 735 ILCS 5/2-801, et seq.