

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

LEMUEL BLAND, <i>et al.</i> , Plaintiffs, v. PNC BANK, N.A. Defendant.	CIVIL ACTION COMPLAINT CIVIL ACTION NO: <u>2:15-cv-01042-AJS</u> <u>LEAD CASE</u>
MARAT GOKHBERG, <i>et al.</i> Plaintiffs, v. THE PNC FINANCIAL SERVICES GROUP, INC., and PNC BANK, N.A. Defendants.	CIVIL ACTION COMPLAINT CIVIL ACTION NO: <u>2:15-cv-01700-AJS</u> <u>MEMBER CASE</u>

ORDER

AND NOW, on this 6th day of January, 2017, upon consideration of the Plaintiffs' Motion for Preliminary Approval of Class Settlement and Provisional Certification of Settlement Class, IT IS:

1. ORDERED that the Joint Stipulation of Settlement and Release ("Settlement Agreement") is preliminarily approved by this Court;
2. ORDERED that the settlement class consisting of all persons who:
 - a. have filed a consent to join the Litigation pursuant to §216(b) of FLSA, have not been dismissed from the Litigation or withdrawn their consent to join, and worked at any time during the three years prior to the date that MLO opted-in to this Litigation ("Opt-Ins"); or
 - b. did not previously file a consent to join the Litigation or filed a consent form more than 3 years from the last date of employment with PNC, and worked in

California from August 7, 2011 to January 4, 2017; New York from April 4, 2011 to January 4, 2017; or any other state from August 7, 2012 to January 4, 2017 (“Non-Opt-Ins”).

3. ORDERED that the Named Plaintiffs listed in the caption, other than James Samuel (who was dismissed for failure to participate in discovery) are appointed as representatives of the settlement class;
4. ORDERED that Swartz Swidler LLC, Robert D. Soloff P.A., Frank, Weinberg & Black, P.L., Woodley & McGillivray LLP, and Spivak Lipton, LLP are appointed as Class Counsel;
5. ORDERED that the Notice of Settlement and Fairness Hearing is approved and shall be mailed in accordance with the procedures outlined in the Settlement Agreement to all class members by no later than 45 days following the issuance of this Order;
6. ORDERED that Class Counsel’s requested fee award of 33 1/3% of the Settlement Fund is preliminarily approved;
7. ORDERED that Service Awards in the amount of \$10,000.00 per Named Plaintiff, not to exceed \$210,000.00 of the Gross Settlement Amount, as defined in Settlement Agreement, shall be paid to the Named Plaintiffs;
8. ORDERED that Class Counsel shall file the motion for final approval of the settlement sought in the Joint Stipulation no later than 7 days before the Final Settlement Fairness Hearing.
9. ORDERED that a Final Settlement Fairness Hearing shall be held at the United States District Court for the Western District of Pennsylvania, U.S. Courthouse, 700 Grant

Street, Courtroom 7C on April 6, 2017 at 10:00 a.m. Counsel for the Parties must attend said hearing.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Arthur J. Schwab". The signature is written in a cursive style with a horizontal line underneath it.

The Honorable Arthur J. Schwab, USDJ

Dated: