

**THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIVIL DIVISION**

LONITA JOHNSON,

Plaintiff,

CASE NO.: 21-CA-005587

v.

DIVISION: J

G4S SECURE SOLUTIONS (USA) INC.,

Defendant.

_____ /

[PROPOSED] ORDER OF PRELIMINARY APPROVAL

The Plaintiff's unopposed motion for preliminary approval of the proposed settlement agreement in this action; conditional certification of a class solely for settlement purposes; appointment of plaintiff's counsel as class counsel; appointment of plaintiff as class representative; approval of the proposed notice of the settlement and notice procedures; scheduling of a fairness hearing; and approval of deadlines and procedures for opting out, objecting, and filing a motion for an award of attorneys' fees, expenses, and an incentive award is **GRANTED**.

I. Preliminary Approval of the Settlement

A. The settlement memorialized in the Settlement Agreement is preliminarily approved. For purposes of preliminary approval, the Court finds the proposed settlement fair, reasonable, and adequate.

B. The proposed settlement is within the range for possible final settlement approval, and the proposed notice to the class is adequate.

C. The settlement is the result of good-faith, arm's-length negotiation by attorneys well-versed in the prosecution of Fair Credit Reporting Act actions.

II. Conditional Certification of the Proposed Rule 1.220 Settlement Class

E. For settlement purposes only, the Settlement Classes consists of:

Settlement Class:

All of Defendant's employees and job applicants who applied for or worked in a position with the Defendant, to whom Defendant provided an FCRA disclosure and authorization forms in the same or substantially the same form as those provided to Plaintiff, within two years of the filing of the Complaint through the date of final judgment.

F. For settlement purposes only, the Settlement Class meets the requirements for class certification under Rules 1.220(a) and (b)(3), Florida Rules of Civil Procedure. The identities of the members of the Settlement Class can be ascertained from records available to Defendant.

G. For settlement purposes only, the Settlement Class satisfies Rule 1.220(a)(1) because the joinder of the class members is impracticable.

H. For settlement purposes only, the Settlement Class satisfies Rule 1.220(a)(2) because the class members' claims share common questions of fact and law.

I. For settlement purposes only, the Settlement Class satisfies Rule 1.220(a)(3) because the Plaintiff's claims and those of the classes arise out of the same practice and are based on the same legal theories.

J. For settlement purposes only, Rule 1.220(a)(4) is satisfied because no conflict of interest exists between the Plaintiff and the Settlement Class, and the Plaintiff has retained competent counsel to represent her and the Settlement Class. Plaintiff's counsel, Luis A. Cabassa and Brandon J. Hill of Wenzel Fenton Cabassa, P.A., have extensive experience litigating FCRA class action lawsuits like this, and are capable of adequately representing the Settlement Class Members' interests in this action.

K. For settlement purposes only, Rule 1.220(b)(3) is satisfied because common legal and factual issues predominate over individualized issues. Resolution of the common issues for

the members of the Settlement Class in a single, coordinated proceeding is superior to individual lawsuits addressing the same legal and factual issues.

L. For settlement purposes only, Plaintiff and the Class Members have sufficient standing.

III. Appointment of Class Counsel and Class Representative

M. Luis A. Cabassa and Brandon J. Hill of Wenzel Fenton Cabassa, P.A., are appointed as Class Counsel for the Settlement Classes.

N. Class Counsel performed substantial work identifying, investigating, prosecuting, and settling Plaintiff's and the settlement Class Members' claims and have knowledge of the applicable law.

O. Lonita Johnson is appointed as Class Representative.

IV. Notice

O. The proposed short form Notice of Settlement, which is attached as Exhibit B to the Settlement Agreement, is approved and must be sent via U.S. mail to the members of the Settlement Class. The Question and Answer Notice (long form notice) that will be posted on the settlement website, which is attached as Exhibit C to the Settlement Agreement, is also approved. Further, the notice procedures set forth in the Settlement Agreement are approved.

P. The content of the Notice complies with due process and Rule 1.220(d)(2), and is the best notice practicable under the circumstances such that it meets all requirements of due process.

Q. The Court further orders that:

1. **Notice.** No later than ten (10) business days after entry of this Order (the "Notice Date"), the Defendant must provide the Class List to the Settlement Administrator. Next,

within fifteen (15) business days of receipt of the Class List the Settlement Administrator must, in turn, mail the Notice and establish the Settlement Website, including the Question and Answer Notice, in accordance with the Settlement Agreement.

2. **Motion for Final Approval, Attorneys' Fees and Costs.** No later than 14 calendar days before the Final Fairness Hearing, Plaintiff is directed to file her Motion For Final Approval which shall also include the requested Plaintiff's attorneys' fees and costs.

3. **Objections.** The deadline for filing and serving objections to the Settlement shall be sixty days after the Notice Date. Settlement Class Members who do not file an objection that meets all of the requirements set forth below and in the Settlement Agreement waive any objection to the Settlement. Objections must be filed with the Court, served on Class Counsel and Defendant's Counsel (at the addresses listed below), reference this lawsuit and:

- (i) state the objector's full name, current address, and telephone number;
- (ii) include the Claim Number listed on the Notice sent to the objector;
- (iii) contain the objector's original signature;
- (iv) state that the objector objects to the Settlement, in whole or in part;
- (v) state the legal and factual basis for the objection;
- (vi) attach copies of any documents that the objector wants the Court to consider in support of the objection;
- (vii) identify by name, address, and bar number any attorney who represents the objector with respect to the objection or who assisted or advised the objector in any way with respect to the objection;
- (viii) list by case name and civil action number all class action settlements to which the objector (or any attorney that meets the description of subsection vii immediately above) have objected within the last five years; and send each to the following:

- **Clerk of Court** - Clerk of the Court, Circuit Court of the Thirteenth Judicial Circuit, in and for Hillsborough County, Florida, 800 East Twiggs St, Tampa, FL 33602, File: *Lonita Johnson, on behalf of herself and on behalf of all others similarly situated, v. G4S Secure Solutions (USA), Inc.*, Case No.: 21-CA-005587, Division J;
- **Class Counsel** - Brandon J. Hill and Luis A. Cabassa Wenzel Fenton Cabassa, P.A., 1110 N. Florida Ave., Suite 300 Tampa, FL 33602;
- **Defendant's Counsel** - Kristina L. Marsh, Esq.Elizabeth E. Shuman, Esq., Gordon Rees Scully Mansukhani 601 S. Harbour Island Boulevard, Suite 109 Tampa, FL 33602.

June 30, 2022 at 9:45

4. **Fairness Hearing**. The final Fairness Hearing is scheduled for **[DATE]**, at **[TIME]** at the Circuit Court of the Thirteenth Judicial Circuit, in and for Hillsborough County, Florida, 800 East Twiggs St, Tampa, FL 33602, in Courtroom **[]** ^{by zoom} before Judge **Rex Barbas**.

SO ORDERED, this _____ day of _____, 2022.

Electronically Conformed 6/3/2022
Rex Barbas

CIRCUIT COURT JUDGE

Copies furnished to all counsel of record