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CONSTANCE C. CHURCHILL,  
DECEASED, JORDAN EWING,  
ADMINISTRATOR OF THE ESTATE OF  
JOSEPH W. EWING, DECEASED,  
individually and on behalf of themselves and  
all other similarly situated

Plaintiffs

v.

FIVE STAR BANK and  
FINANCIAL INSTITUTIONS, INC.

Defendants.

ATTORNEYS FOR PLAINTIFFS,  
individually and on behalf of all others  
similarly situated

MAJOR NON-JURY CASE

COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY

CIVIL ACTION

MAY TERM, 2017

NO. 002466

Final Approval Hearing: Nov. 4, 2015

**PLAINTIFFS' MOTION FOR FINAL APPROVAL  
OF CLASS ACTION SETTLEMENT (UNCONTESTED)**

Plaintiffs move the Court, pursuant to Pa. R. Civ. P. 1701, et seq., for final approval of a Class Action Settlement Agreement in this certified consumer class action.<sup>1</sup> Following eight years of hotly contested litigation, which included an interlocutory appeal to the Superior Court, countless motions both substantive and procedural including two rounds of dispositive motion practice, and three separate efforts at mediation, the parties reached a class-wide settlement.

The Settlement Agreement, attached as Exhibit 1 (the “Settlement” or “Agreement”), reflects an excellent result. The comprehensive Settlement includes a cash fund of **\$29.5 million**, resulting in an average payment of approximately \$3,253, elimination of approximately **\$55.3 million** in (disputed) post-repossession Deficiencies claimed due by the Bank under auto finance agreements, and satisfaction of some 1,294 deficiency judgments against Class Members. The aggregate monetary relief alone exceeds **\$84.8 million**. Some of the Settlement benefits have already commenced, with the Bank having already ceased the commencement of new enforcement actions to collect Class Member Deficiencies. Ex. 1, Agreement ¶ 2.10.

All the approximately 6,358 Class Members will receive these benefits automatically, without the need to even submit a claim form. The above monetary relief afforded by the Settlement already accounts for the costs of administration and Plaintiffs’ request for reimbursement of litigation expenses and attorney fees at 40% of the cash fund.

On July 30, 2025, this Court entered an Order preliminarily approving the settlement. Pursuant to the Court’s Order, notice of the Settlement was sent to the Class, advising them of their right to exclude themselves from the Settlement or to object to any aspect of it by October

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<sup>1</sup> The relief sought in this Motion is uncontested by Defendants Five Star Bank and Financial Institutions, Inc. (collectively, “Five Star” or the “Bank”).

13, 2025. Of the thousands of approximately 6,300 Class Members noticed, only one has lodged an objection, and not a single Class Member has requested exclusion.

Plaintiffs file the instant Motion for Final Approval of Class Action Settlement. As set forth more fully below, the Settlement meets all the criteria for final approval and is eminently fair, reasonable, and adequate. In support, Plaintiffs incorporate by reference their Memorandum of Law and exhibits filed herewith. An agreed-upon form of Order of Final Approval is submitted herewith.

WHEREFORE, and for the reasons set forth more fully in the within Memorandum of Law, final approval of this proposed settlement should be granted.

Respectfully submitted:

Date: 10/30/2025

s/Cary L. Flitter  
CARY L. FLITTER  
ANDREW M. MILZ  
JODY THOMAS LÓPEZ-JACOBS  
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**Attorneys for Plaintiffs and the Class**

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I caused a true and correct copy of the foregoing Plaintiffs' Motion for Final Approval of Class Action Settlement, Memorandum of Law, and Exhibits to be filed and served upon all counsel of record via ECF transmission.

Date: 10/30/2025

*s/ Cary L. Flitter* \_\_\_\_\_  
CARY L. FLITTER  
Counsel for Plaintiffs and the Class

**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Date: 10/30/2025

*s/ Cary L. Flitter* \_\_\_\_\_  
CARY L. FLITTER  
Counsel for Plaintiffs and the Class