

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

IN THE ALLEN CIRCUIT COURT  
CAUSE NO. 02C01-1806-PL-000218

STEVEN D. GUYSE, )  
on behalf of himself and all others )  
similarly situated, )  
Plaintiff, )

vs. )

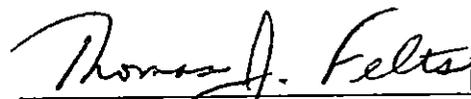
FORT FINANCIAL CREDIT UNION, )  
Defendant. )

**ORDER**

This matter is before the court on Defendant's Motion to Reconsider Order Certifying Class, filed November 20, 2020, and Plaintiff's Opposition to Defendant's Motion to Reconsider Order Certifying Class, filed on November 25, 2020. A hearing was held on December 17, 2020. Plaintiff appeared by counsel, Cary L. Flitter, via the Zoom platform. Defendant appeared with counsel, J. Spender Feigner, via the Zoom platform.

Defendant's Motion is GRANTED in part and DENIED in part. Defendant's Motion regarding class certification under Indiana Trial Rule 23(B)(2), class certification for declaratory or injunctive relief, is GRANTED. The classes certified by the Court are primarily seeking money damages, and as such, certification under Rule 23(B)(2) is not appropriate. Defendant's Motion on the remaining issues is DENIED. This Court's certification of Class A and Class C under Indiana Trial Rule 23(B)(3) remains in effect.

So ordered this 28<sup>th</sup> Day of December, 2020.

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JUDGE THOMAS J. FELTS  
ALLEN CIRCUIT COURT