

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL VANDERKODDE, et al.,

Plaintiffs,

Case No. 1:17-cv-203

HON. PAUL L. MALONEY

v.

MARY JANE M. ELLIOTT, P.C., et al.,

Defendants.

_____ /

**STIPULATION REGARDING SERVICE OF ADDITIONAL
CLAIM FORMS TO SELECT SUBSET OF CLASS MEMBERS**

This Court issued an Order Granting Preliminary Approval [ECF No. 283] on November 3, 2025. Subsequently, on January 12, 2026, this Court issued an Order Granting Joint Motion to Amend Order Granting Preliminary Approval [ECF No. 286]. That second order requires that the Notice of Class Action Settlement be sent to the class by January 26, 2026, and that claims, objections, and exclusions be submitted by class members to ALCS by March 9, 2026.

ALCS timely served class members the Notice of Class Action Settlement and claim form. By March 9, 2026, 250 class members submitted a claim for the \$150 monetary relief, zero class members objected to the settlement, and zero class members sought to be excluded from the settlement.

On March 23, 2026, counsel for the parties determined that while all class members received the Notice of Class Action Settlement, 207 class members who should have received the accompanying claim form did not. Thus, while all class members had all required information to object or exclude themselves from the settlement, 207 eligible class members did not receive the form required to submit a claim for the \$150 monetary relief. So far, approximately 11% of eligible

class members have submitted a claim for the \$150 monetary relief. To date, none of the 207 specific class members have contacted ALCS inquiring into making a claim.

Because the Notice of Class Action Settlement sent to all class members fully explained each class member's rights and deadlines regarding their ability to object or exclude themselves from the settlement, no due process rights were affected by this omission. However, to rectify the error, the Parties seek approval from this Court for an additional claim period for these 207 specific class members. The claim period, at 42 days, would be equal in length to the period received previously by other class members. Moreover, the period would end prior to the earliest possible effective settlement date under the Settlement Agreement. Further, the additional claim period would not delay the payment of any claims, nor affect the amount of relief received by other class members. Finally, all class administrative fees and additional claim payments associated with this additional claim period would continue to be paid by Defendant Mary J. Elliott, PC, per the Settlement Agreement.

Therefore, the Parties to this matter seek to stipulate to the following relief to provide a claim form to the 207 specific class members:

- That the class administrator ALCS, by March 30, 2026, shall serve a claim form to the 207 specific class members. The claim form shall be identical to the form previously served to class members, except that the March 9, 2026 deadline for responding shall be replaced with May 11, 2026.
- That any claims received by ALCS by May 11, 2026 from these 207 specific class members, shall be treated as timely under the terms of the Settlement Agreement.

Stipulated to by:

Dated: March 26, 2026

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**ORDER REGARDING SERVICE OF ADDITIONAL CLAIM FORMS TO
SELECT SUBSET OF CLASS MEMBERS**

This matter having come before the Court by Stipulation of counsels for all plaintiffs and defendants, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that the Order Granting Preliminary Approval [ECF No. 283] and Order Granting Joint Motion to Amend Order Granting Preliminary Approval [ECF No. 286] are amended as follows:

- By March 30, 2026, a claim form shall be mailed to 207 class members who were timely served the Notice of Class Action Settlement, but who were not served a required claim form. The claim form sent to this subset of class members shall be identical to the prior claim form served to other class members, except that it shall identify a claim deadline of May 11, 2026.
- That any claims received by the class administrator ALCS by May 11, 2026 from the 207 specific class members, shall be treated as timely under the terms of the Settlement Agreement.

IT IS SO ORDERED.

Dated: March 27, 2026

/s/ Paul L. Maloney
PAUL L. MALONEY
UNITED STATES DISTRICT JUDGE