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**IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO**

MARIA MACK  
Plaintiff

MIGDAL 1 LLC  
Defendant

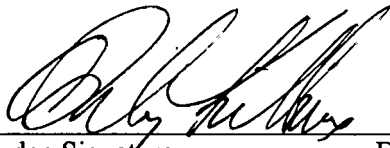
Case No: CV-21-957774

Judge: ASHLEY KILBANE

**JOURNAL ENTRY**

JOINT MOTION TO PRELIMINARILY APPROVE CLASS ACTION SETTLEMENT, FILED 11/28/2022, IS DENIED AS MOOT.  
JOINT MOTION TO PRELIMINARILY APPROVE CLASS ACTION SETTLEMENT, FILED 01/11/2023, IS GRANTED.  
PRELIMINARY APPROVAL ORDER ATTACHED.  
HEARING SET FOR 08/03/2023 AT 01:00 PM. FINAL SETTLEMENT HEARING TO BE HELD IN COURTROOM 19C. SEE  
ALSO, ATTACHED PRELIMINARY APPROVAL ORDER.

- O.S.J. -

 3-16-23  
\_\_\_\_\_  
Judge Signature Date

**FILED**  
2023 MAR 17 P 2:23  
CLERK OF COURTS  
CUYAHOGA COUNTY

IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

MARIA MACK,

Plaintiff,

vs.

MIGDAL 1 LLC d/b/a  
HYUNDAI OF BEDFORD,

Defendant.

) CASE NO.: CV 21 957774

)

) JUDGE: ASHLEY KILBANE

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) **PRELIMINARY APPROVAL**

) **ORDER**

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This matter comes before the Court on the joint motion of the parties Plaintiff Maria Mack, hereinafter ("Plaintiff"), individually and on behalf of herself and the class and Defendant Migdal 1 LLC d/b/a Hyundai of Bedford ("HOB") to preliminarily approve their agreed upon Settlement Agreement, preliminarily certify a Class Action, issue Class Notice, and set the matter for Final Settlement Hearing. Upon review of the Settlement Agreement proffered by the parties, the Court finds it to be fair, reasonable, and in the best interests of the Class for the reasons set forth therein. Accordingly, the Court enters the following Orders:

1. Subject to the approval by the Court at the Final Settlement Hearing, the Court hereby **CERTIFIES** an Ohio Civ. R. 23 Class Action of the following persons:

All persons who: (a) purchased and/or leased a vehicle from HOB primarily for personal, family, and/or household use within two (2) years of the date of filing the complaint until this class is certified; and (b) were charged an amount greater than the price it advertised for the vehicle.

2. Subject to the approval by the Court at the Final Settlement Hearing, the Court APPROVES A Settlement Fund of \$224,875.00 to be paid to the Claims Administrator by HOB;
3. Subject to the approval by the Court at the Final Settlement Hearing, the Court APPROVES the Class Administrator sending (a) a cash payment of \$175.00 dollars to each Settlement Class Member, and; (b) a one-time-use certificate to use at HOB, valued at (1) \$750 toward the purchase of any new or used vehicle or (2) fifty percent (50%) off any purchase of service, parts, labor, or accessories up to total of \$750.00.

4. Pending final approval, the Court **APPROVES** the Settlement Agreement attached hereto including the one-hundred thirty-two thousand five-hundred-dollar (\$132,500.00) award of Class Counsel Fees, Costs and Expenses and an incentive award in an amount of seven-thousand five-hundred dollars (\$7,500.00) to Maria Mack, both of which to be payable from the Settlement Fund upon final approval at the Final Settlement Hearing;
5. Counsel for Defendant is hereby authorized and **ORDERED** to retain American Legal Claims as Claims Administrator to serve the Notice of Class Action Settlement and Opt-Out attached as Exhibit A1 to the Settlement Agreement upon the putative Class Members and authorizing the Claims Administrator's fees and expenses to be paid by Class Counsel;
6. All putative Class Members who object or do not wish to participate in the proffered Settlement Agreement are **ORDERED** to opt out of the proposed Class or file objections to the proposed Settlement Agreement no more than sixty (60) days after the Mailing of the Class Notice;
7. Class Counsel is **ORDERED** to prepare and file with the Court a list identifying any Class Members whose Notices were returned undeliverable, a list identifying any Class Members who opted out of the Settlement Agreement, any objections to the Settlement Agreement, fourteen (14) days before the Final Settlement Hearing; and
8. The Final Settlement Hearing is set for 1:00 pm on August 3, 2023.

Should the Settlement Agreement not be approved and fully implemented at the Final Settlement Hearing, this Order and all related proceedings, including but not limited to the Certification of the Class and the Settlement and the amendment of the pleadings, shall be vacated. The Court's docket, including pleadings, shall return to the same state as they did on the day immediately preceding the filing of the joint motion which this Order grants.

**IT IS SO ORDERED:**

Dated: 3-16-23

  
\_\_\_\_\_  
JUDGE ASHLEY KILBANE

The Clerk of Courts is instructed to serve this Order on all parties not in default for failure to appear.