

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
TRENTON DIVISION

JOSEPH SANNUTTI :
 and :
 JOHN HOLAHAN :
 and :
 BRADLEY GALE :
 and :
 MICHAEL LANGE :
 and :
 ANDREW DESARNO :
 and :
 KATHERINE JABLONSKI :
 and :
 GISELLE VARGAS :
 and :
 NELSON RAMIREZ :
 and :
 TIMOTHY QUICK :
 and :
 MALCOME LAPONE :
 and :
 KEITH LOCASCIO :
 and :
 MATTHEW COLOMBO :
 and :
 KRISTINE KAVANAUGH :
 and :
 DAVID BUBAR :
 :
 Plaintiffs, :
 :
 v. :
 :
 W.B. MASON CO., INC. :
 and :
 LEO MEEHAN, *individually* :
 and :
 CHRIS MEEHAN, *individually* :
 And :
 ROGER AHFELD, *individually* :
 :
 Defendants. :
 :

Civil Action No.: 21-10955 (FLW)(DEA)

~~[PROPOSED]~~ ORDER CERTIFYING
CLASS FOR SETTLEMENT PURPOSES ONLY AND GRANTING
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

On February 22, 2023, the Court heard Plaintiffs' Motion for Preliminary Approval of Class Action Settlement. The Court has considered the Settlement Agreement and its Exhibits, including the Class Notice of Proposed Settlement of Class Action Lawsuit ("Class Notice"), along with Counsels' submissions, and hereby finds and orders as follows:

1. Unless otherwise defined herein, all terms used in this Order (the "Preliminary Approval Order") will have the same meaning as defined in the Settlement Agreement.

2. The Court finds on a preliminary basis under Fed. R. Civ. P. 23(e)(1)(B) that the settlement memorialized in the Settlement Agreement, and filed with the Court, will likely be approved as fair, reasonable, and adequate after notice to the class. Therefore, this Court grants preliminary approval of the Parties' Settlement Agreement.

3. This Court finds that the proposed Settlement Classes are proper and should be certified. For purposes of the proposed settlement, the Settlement Classes are certified pursuant to Fed. R. Civ. P. 23 as follows:

New Jersey Settlement Class: All individuals who worked for WB Mason as a commissioned sales representative ("Account Executive") primarily based or working in New Jersey at any point from April 2, 2015 through the date Class Notice is distributed and have not previously released and/or adjudicated any of the Released Claims.

New York Settlement Class: All individuals who worked for WB Mason as a commissioned sales representative/Account Executive primarily based or working in New York at any point from April 8, 2015 through the date Class Notice is distributed and have not previously released and/or adjudicated any of the Released Claims.

Pennsylvania Settlement Class: All individuals who worked for WB Mason as a commissioned sales representative/Account Executive primarily based or working in Pennsylvania at any point from April 28, 2017 through the date Class Notice is distributed and have not previously released and/or adjudicated any of the Released Claims.

4. This Court specifically finds for purposes of this settlement that: (i) the Settlement Class is so numerous that joinder is impracticable; (ii) common questions of fact and law exist; (iii) Plaintiffs' claims are typical of the Class Member claims; and (iv) Plaintiff will be able to protect fairly and adequately the interests of the Settlement Class. This Court also finds for purposes of this settlement that common questions of fact and law predominate over questions affecting individual class members, and a class action is superior to other available methods of adjudication. Certification of the Settlement Class for settlement purposes is the best means for protecting the interests of all Settlement Class Members.

5. This Court appoints the attorneys from Karpf, Karpf & Cerutti, P.C as Class Counsel and Plaintiffs Michael Lange and Andre DeSarno as Class Representatives for the New Jersey Class, Timothy Quick, Malcolm Lapone (alternatively referred to in company records by his former name, Malcolm Scott Bertram, Jr.), Matthew Colombo, Keith Locascio, Kristine Kavanaugh, David Bubar, Katharine Jablonski, Giselle Vargas and Nelson Ramirez as Class Representatives for the New York Class, and Joseph Sannutti, John Holahan, and Bradley Gale as Class Representatives for the Pennsylvania Class.

6. This Court approves Analytics, LLC as Settlement Administrator to perform duties in accordance with the terms of the Settlement Agreement and the plan of settlement administration therein.

7. The Settlement Notice to be provided as set forth in the Settlement Agreement is hereby found to be the best practicable means of providing notice under the circumstances and, when completed, shall constitute due and sufficient notice of the proposed settlement and of the Final Approval Hearing to all persons and entities affected by and/or entitled to participate in the settlement, in full compliance with the notice requirements of Fed. R. Civ. P. 23, due process, the

Constitution of the United States, the laws of the State of New Jersey, and all other applicable laws. The Settlement Notice is accurate, objective, and informative and provides members of the Settlement Class with all of the information necessary to make an informed decision regarding their participation in the settlement and its fairness.

8. The Settlement Notice and Claim Form, attached to the Settlement Agreement as Exhibit 1, is approved. The Settlement Administrator is authorized to mail those documents to the Settlement Class as provided in the Settlement Agreement.

9. Any written objection to the Settlement must be postmarked within the Notice Period and received by the Settlement Administrator no later than seven (7) days after the close of the Notice Period. The objections must be filed with the Court no later than fourteen (14) days after the end of the Notice Period.

10. This Court preliminarily approves an award of Attorneys' Fees and Costs to Class Counsel in the amount of \$1,500,000.00, inclusive of all past and anticipated future Attorneys' Fees and Litigation Costs and Settlement Administrator costs.

11. The Court will conduct a Final Approval Hearing on JULY 20, 2023, at 2:00 p.m./a.m. to determine the overall fairness of the settlement, including the attorneys' fees and costs award. The Final Approval Hearing may be continued without further notice to Class Members. The Parties shall file their motion for final approval of the settlement, which shall include Class Counsel's unopposed motion for Attorneys' Fees, Litigation Costs and settlement administration expenses on or before JUNE 30, 2023.

IT IS SO ORDERED.

Dated: February 22, 2023



The Honorable Douglas E. Arpert