

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF ILLINOIS**

NATALIE COOK and MICHAEL A.)	
PEREZ, individually and for all others)	
similarly situated,)	Case No. 1:15-cv-07718
)	
Plaintiffs,)	
)	Honorable Judge Sharon Johnson
v.)	Coleman
)	
BANK OF AMERICA, N.A. and BANK OF)	Magistrate Judge Jeffrey T.
AMERICA CORPORATION,)	Gilbert
)	
Defendants.)	
)	

FINAL APPROVAL ORDER AND FINAL JUDGMENT

On August 1, 2016, the Court heard the Parties’ Joint Motion for Final Approval of a Class and Collective Action Settlement and Plaintiffs’ Unopposed Petition for Approval of Attorneys’ Fees, Reimbursement of Expenses, and Enhancement Payments to Named Plaintiffs. The Court has considered the Motion and other related materials submitted by the Parties, as well as the Parties’ presentation at the hearing on final approval, and otherwise being fully informed on the premises, hereby finds and orders as follows:

1. This Court has jurisdiction over the subject matter of this action and over all Parties to this action pursuant to 28 U.S.C. § 1331 and § 216(b) of the Fair Labor Standards Act (“FLSA”) and has supplemental jurisdiction over Plaintiffs’ Illinois Minimum Wage Law (“IMWL”) claims pursuant to 28 U.S.C. § 1367(a), including jurisdiction over all Plaintiff Class Members.

2. The Court grants final approval of the Settlement, as memorialized in the Settlement Agreement and previously filed with the Court.

3. The Court finds that the Settlement is fair, reasonable and adequate, and in the best interests of the Plaintiff Class Members. The Court finds that: (a) the strength of Plaintiffs' case on the merits weighed against Defendants' defenses, and the complexity, length and expense of further litigation, support approval of the Settlement; (b) the Gross Settlement Amount of \$3,250,000.00 as set forth in the Settlement Agreement is a fair, reasonable and adequate settlement of the claims; (c) the Settlement was reached pursuant to arm's-length negotiations between the Parties; (d) the support for the Settlement expressed by Class Counsel and counsel for Defendants, both of whom have significant experience representing parties in complex class actions, including those involving wage and hour claims, weighs in favor of approval of the Settlement; (e) the absence of any objections to the Settlement by Plaintiff Class Members supports approval of the Settlement; and (f) the litigation has progressed to a stage where the Court and the Parties could evaluate the merits of the case, potential damages, and the probable course of future litigation, and thus warrants approval of the Settlement.

5. Class Counsel is awarded \$1,072,500.00 in attorneys' fees.

6. Class Counsel is awarded reasonable expenses in the amount of \$15,000.00.

7. Rust Consulting is administering the Settlement pursuant to the Settlement Agreement, with the assistance of Class Counsel and Defendants' counsel. Rust shall distribute settlement checks to each member of the Settlement Class who submitted a valid Claim Form, as well as to the Named Plaintiffs, in accordance with the provisions of the Settlement Agreement. Rust Consulting is therefore awarded \$22,676.00 in claims administration costs.

8. The Court finds that Named Plaintiffs, Natalie Cook and Michael A. Perez, in prosecuting the case on behalf of the Class, made a substantial contribution to its outcome, and are therefore deserving of an enhancement award in recognition of their efforts. An

Enhancement in the amount of \$15,000.00 each is therefore approved, in addition to any pro rata share of the Settlement Fund to which they are entitled.

9. The foregoing awards shall be paid from the Gross Settlement Fund of \$3,250,000.00.

10. This Court hereby approves the Settlement and releases set forth in the Settlement Agreement. The Court shall retain jurisdiction solely for the purpose of enforcing the deposit of the Gross Settlement Amount as set forth in the Settlement Agreement and ensuring that all consents to join are filed with the Court.

IT IS SO ORDERED.

Dated: August 2, 2016



Sharon Johnson Coleman
United States District Court Judge for the
Northern District of Illinois