

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

LATONYA T. BANKHEAD and)	
JUSTIN HALL on behalf of themselves)	
and all others similarly situated,)	
)	
Plaintiffs,)	
v.)	Case No. 1:17-cv-02910-LMM- CCB
)	
FIRST ADVANTAGE)	
BACKGROUND SERVICES CORP.,)	
)	
Defendant.)	

PRELIMINARY APPROVAL ORDER

The Court, having considered Plaintiff’s Unopposed Motion for Final Approval of the Proposed Class Action Settlement between Plaintiffs Latonya T. Bankhead and Justin Hall (“Named Plaintiffs” or “Class Representatives”) and Defendant First Advantage Background Services Corp. (“Defendant” or “First Advantage”) in the above-captioned matter, the Settlement Agreement entered into between the Parties (the “Settlement Agreement”), and for good cause shown therein, IT IS HEREBY ORDERED:

1. Unless defined herein, for purposes of this Preliminary Approval Order, all capitalized terms in this Order shall have the same meanings as set forth in the Settlement Agreement.
2. This Court has jurisdiction over the subject matter of this Action and over the settling parties hereto.
3. For settlement purposes only, the Court preliminarily finds that the settlement of the Action, on terms and conditions set forth in the Settlement

Agreement, including all Exhibits thereto, is fair, reasonable, adequate, and in the best interests of the Settlement Class Members and is within the range of reasonableness for preliminary settlement approval. The Court finds that: (a) the Settlement Agreement resulted from arm's length negotiations; and (b) the Settlement Agreement is sufficiently reasonable to warrant notice of the settlement to persons in the Settlement Classes and a full hearing on the approval of the settlement. The Settlement Agreement, including its Exhibits, and the definition of words and terms contained therein, are incorporated by Reference in this Order.

4. Pursuant to Fed. R. Civ. P. 23, the Court certifies the Action, for settlement purposes only, as a class action on behalf of the following Settlement Class with respect to the claims asserted against Defendant in the Action:

All natural persons upon whom Defendant produced one or more reports which included one or more records older than seven years which included a term listed in Exhibit A to the Settlement Agreement in the disposition field from June 23, 2015 through January 27, 2019.

13. For settlement purposes only, the Court finds that the Action satisfies the applicable prerequisites for class action treatment under Fed. R. Civ. P. 23, namely:

- The Settlement Class is so numerous that joinder of all members is impracticable;
- There are questions of law and fact common to the members of the Settlement Class;
- The claims of the Class Representatives are typical of the claims of the Settlement Class Members;

- The Class Representatives and Class Counsel have fairly and adequately represented and protected the interests of all of the members of the Settlement Classes;
- Common questions of law and fact predominate over questions affecting only individual members of the Settlement Class; and
- Class treatment of these claims will be efficient and manageable, thereby achieving an appreciable measure of judicial economy, and a class action is superior to other available methods for a fair and efficient adjudication of this controversy.

5. Pursuant to Fed. R. Civ. P. 23, for settlement purposes only, the Court certifies Named Plaintiffs Latonya Bankhead and Justin Hall as the Class Representatives for the Class and appoints Berger Montague as Class Counsel.

6. Class Counsel and Defendant will hire a third-party administrator (the "Settlement Administrator") to assist in the administration of the settlement and the notification to the members of the Settlement Classes. The Court appoints JND Legal Administration as Settlement Administrator. The costs and expenses shall be paid subject to the terms of the Settlement Agreement. The Settlement Administrator will be responsible for carrying out the tasks set forth in the Settlement Agreement.

7. The Court approves the notice plans for the Class as set forth in the declaration of the JND Legal Administration. The Court finds that class notice fully satisfies the requirements of due process of the Federal Rules of Civil Procedure. The notice plan constitutes the best notice practicable under the circumstances of the Class. The Settlement Administrator is authorized to take all reasonable steps to effectuate the notice plans that are not inconsistent with the Settlement Agreement or the notice plans.

8. All members of the Settlement Class have the right to object to the settlement pursuant to the procedures and schedule set forth in the Settlement Agreement. Class Members have the right to opt out of the settlement pursuant to the procedures and schedule set forth in the Settlement Agreement.

9. A Final Approval Hearing shall take place before the Honorable Christopher C. Bly on September 19, 2019, at 2 a.m./(p.m.) at the Richard B. Russell Federal Building, 2211 United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, GA 30303-3309, to determine whether the proposed settlement of the Action on the terms and conditions provided for in the Settlement Agreement is fair, reasonable, and adequate, and should be approved; whether the Final Approval Order, as provided for in the Settlement Agreement should be entered; the amount of any fees and costs that may be awarded to Class Counsel; and the amount of any service award that may be awarded to the Named Plaintiffs as provided for in the Settlement Agreement. The Final Approval Hearing may be postponed, adjourned, or rescheduled by order of the Court without further notice to the Settlement Class Members.

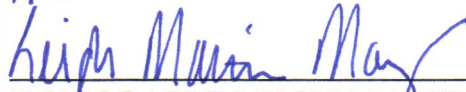
10. Class Counsel shall file any application for an award of attorneys' fees and costs, Named Plaintiff service awards no later than forty-four (44) calendar days after the first date that Postcard Notices are initially emailed and/or mailed.

11. All proceedings in the Action are stayed pending final approval of the settlement, except as may be necessary to implement the settlement or comply with the terms of the Settlement Agreement.

12. Counsel for the Parties and the Settlement Administrator are hereby authorized to utilize all reasonable procedures in connection with the administration of the settlement that are not materially inconsistent either with the Order or the Settlement Agreement.

13. This Court retains jurisdiction to consider all further applications arising out of or connected with the Settlement Agreement.

IT IS SO ORDERED, this 30th day of April, 2019.



HONORABLE LEIGH MARTIN MAY
UNITED STATES DISTRICT JUDGE