

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

BORDERS et al.,)	
On behalf of themselves and all others)	
similarly situated,)	Civil No. 3:17-cv-0506
)	
Plaintiffs,)	
)	
v.)	CLASS ACTION
)	
WAL-MART, INC.,)	
Defendant.)	

PLAINTIFFS’ UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT, CONDITIONAL CERTIFICATION OF THE SETTLEMENT CLASSES, APPOINTMENT OF PLAINTIFFS AS CLASS REPRESENTATIVES, APPOINTMENT OF PLAINTIFFS’ COUNSEL AS CLASS COUNSEL, AND APPROVAL OF THE PROPOSED NOTICE OF SETTLEMENT AND CLASS ACTION SETTLEMENT PROCEDURE

Plaintiffs respectfully submit the following Unopposed Motion for Preliminary Approval of Class Action Settlement, Conditional Certification of the Settlement Class, Appointment of Plaintiffs’ Counsel as Class Counsel, and Approval of the Proposed Notice of Settlement and Class Action Settlement Procedure (“Motion”), and a Memorandum in Support. For the reasons set forth below, in the accompanying declarations and the exhibits attached hereto, and in all pleadings and documents on file in this action, Plaintiffs respectfully requests that the Court enter an Order:

- (1) granting preliminary approval of the \$14,000,000.00 settlement memorialized in the Settlement Agreement;
- (2) conditionally certifying the Settlement Classes defined in the Settlement Agreement pursuant to Federal Rule of Civil Procedure 23(e);
- (3) appointing Mehri & Skalet, PLLC, A Better Balance, and the National Women’s Law Center Class Counsel for the Settlement Classes;
- (4) appointing Talisa Borders and Otisha Woolbright the Class Representatives for the Non-ASC Settlement Class as defined in the

Settlement Agreement and appointing Stacy Lewis the Class Representative for the ASC Settlement Class as defined in the Settlement Agreement;

(5) approving the form and manner of distributing the proposed Notice and Claim Form; and

(5) requiring the establishment of a Qualified Settlement Fund as set forth in the Parties' Settlement Agreement.

Defendant does not oppose Plaintiffs' Motion for Preliminary Approval of Class Action Settlement Agreement or the findings and rulings set forth in the proposed order.

The parties respectfully request that the Court modify its October 8, 2019, order setting a pretrial conference on November 13, 2019, at 9:30 AM in the East St. Louis Courthouse by converting the pretrial conference to a hearing on the unopposed Motion for Preliminary Approval of Class Action Settlement Agreement.

Dated: October 15, 2019

Respectfully Submitted,

SEDEY HARPER WESTHOFF P.C.

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