

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

JAMES COVINGTON, individually and
on behalf of all others similarly situated

PLAINTIFF

v.

No. 3:17CV00145 JLH

AMERICAN RAILCAR INDUSTRIES, INC.

DEFENDANT

ORDER OF PRELIMINARY APPROVAL

The parties have filed a Joint Motion for Preliminary Approval of class and collective action settlement and notice to the Settlement Class. It appears to the Court that the proposed settlement is fair and reasonable and that the Notice of the Proposed Settlement is adequate. The Court therefore gives preliminary approval of the settlement. The Settlement Class is defined as:

The “Settlement Class” or the “Class” consists of all current or former hourly-paid production and maintenance employees who work or worked at American Railcar’s Paragould Manufacturing facility located in Paragould, Arkansas, at any time between June 06, 2014, and January 10, 2018. These individuals have been identified in the class lists provided by American Railcar to Class Counsel.

ILYM Group, Inc., is approved as the Claims Administrator who will provide notice and administer the claims process under the settlement agreement if it is finally determined to be fair. Approximately forty (40) days before the final fairness hearing at 1:00 p.m., on May 14, 2018, the Claims Administrator must send by first-class mail the Notice of Proposed Settlement (including the Claim Form) to all Class members. Class members may lodge objections or submit claims as set forth in the Notice of Proposed Settlement, including the Claim Form, which were jointly proposed by the parties and filed with the Court.

The Notice of Proposed Settlement included with the Joint Motion for Preliminary Approval is adequate and is hereby approved.

A final fairness hearing will be conducted at 1:00 p.m., on May 14, 2018, at the United States District Court for the Eastern District of Arkansas, 615 South Main St., Room 312, Jonesboro, Arkansas 72401.

The parties must file motion papers for final approval of all terms of the settlement agreement no later than fourteen (14) days before the final fairness hearing.

This action is stayed pending a ruling on the settlement at the final fairness hearing.

The lawyers for the parties are jointly authorized to use all reasonable procedures in connection with approval and administration of the settlement that are not materially inconsistent with this Order or the settlement agreement.

DATED: January 19, 2018



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE