

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

JUDY GUZMAN, on behalf of
herself and all others
similarly situated,

Plaintiff,

v.

CV 111-187

THE CONSUMER LAW GROUP, P.A.;
AMERICAN CREDIT COUNSELORS,
INC.; AMERICAN DEBT
NEGOTIATORS, INC.; BETOUCH
MANAGEMENT VENTURE COMPANY;
RAN BARNEA; DANIEL POST; and
MICHAEL METZNER;

Defendants.

O R D E R

On May 11, 2016, the Court approved settlement between Defendants American Credit Counselors, Inc., Betouch Management Venture Company, American Debt Negotiators, Inc., Ran Barnea, and Daniel Post ("the Settling Defendants"). (Doc. 226.) The settlement agreement did not include Defendants The Consumer Law Group, P.A or Michael Metzner (collectively, "the CLG Defendants").

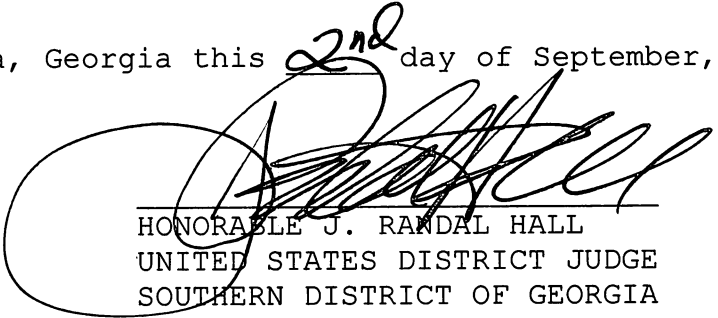
Since the Court approved the settlement between Plaintiff and the Settling Defendants, Plaintiff's counsel has determined that continuing to pursue the claims against the CLG Defendants is futile because there exists no viable method to collect a judgment against these Defendants. Accordingly, Plaintiff seeks to dismiss the class claims against the CLG Defendants without prejudice. And Plaintiff's counsel has attached a proposed notice he intends to

send to all affected class members informing them that the Court has dismissed the claims against the CLG Defendants.

Upon consideration, the Court **GRANTS** Plaintiff's motion. The claims asserted against the CLG Defendants shall be **DISMISSED WITHOUT PREJUDICE**. Because the statute of limitations has been tolled during this lawsuit, the individual class members are free to assert claims against the CLG Defendants. See Sawyer v. Atlas Heating and Sheet Metal Works, Inc., 642 F.3d 560, 562-63 (7th Cir. 2011); State v. Private Truck Council of Am., Inc., 371 S.E.2d 378, 380 (Ga. 1988). Plaintiff's counsel is **DIRECTED** to send the proposed notice to all affected class members.

Additionally, because the only matter still active in this case is the Court's retention of jurisdiction over the enforcement of the Settlement Order and the parties' cy pres fund, the Clerk is **INSTRUCTED** to **ADMINISTRATIVELY CLOSE THIS CASE**. Any party may move to reopen this case at any time.

ORDER ENTERED at Augusta, Georgia this ^{2nd} day of September, 2016.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA