

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MARCIA MILLER, WILLIAM)
MILLER, CHARLENE YOWAYS-)
DAWSON AND WILLIAM)
ANDERSON, on behalf of themselves)
and all others similarly situated,)

Plaintiffs,)

v.)

MIDLAND CREDIT MANAGEMENT,)
INC., MIDLAND FUNDING, LLC, and)
ENCORE CAPITAL GROUP, INC.,)
formerly MCM CAPITAL GROUP, INC.)

Defendants.)

Case No. 08-C-780

Magistrate Judge Ashman

JOINT MOTION FOR CONVERSION TO DISMISSAL WITH PREJUDICE

Plaintiffs Marcia Miller, William Miller, Charlene Yoways-Dawson and William Anderson (“Plaintiffs”) and Defendants Midland Credit Management, Inc., Midland Funding, LLC, and Encore Capital Group, Inc. (collectively “Defendants”), by their undersigned attorneys, move this Court for an Order dismissing the claims of the Plaintiffs and the Class against Defendants and the Released Parties to a dismissal with prejudice. In support of this unopposed motion, the parties state as follows:

1. On March 1, 2011, this Court entered a Final Approval Order approving the class settlement and dismissing the above-captioned case without prejudice.

2. According the Paragraph 12 of the Final Approval Order, Defendants were required to file a Notice of Compliance after it had complied with its obligations to distribute the payments as set forth in the Settlement Agreement, at which time the case would be converted to a dismissal with prejudice.

3. On April 12, 2011, Defendants filed a Notice of Compliance, attesting to the fact that it had discharged its obligations under the Settlement Agreement by depositing all Settlement Funds with the third-party Claims Administrator for distribution according to the terms of the Settlement Agreement and the Final Approval Order. A copy of the Notice of Compliance is attached hereto as Exhibit A.

WHEREFORE, the parties respectfully request that this Court enter the attached Final Judgment (see Exhibit B), converting the Final Approval Order to a dismissal with prejudice, and enter such other relief as this Court deems necessary and appropriate.

Dated: April 12, 2011

Respectfully Submitted,

MARCIA MILLER, WILLIAM
MILLER, CHARLENE YOWAYS-
DAWSON and WILLIAM ANDERSON

MIDLAND CREDIT MANAGEMENT,
INC., MIDLAND FUNDING, LLC, and
ENCORE CAPITAL GROUP, INC.

By: s/ Cassandra P. Miller

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CERTIFICATE OF SERVICE

I, Tammy L. Adkins, hereby certify that on April 12, 2011, I filed the foregoing document with the Clerk of the Court using the CM/ECF system, which constitutes service on below counsel, registered electronic filing users, pursuant to Fed. R. Civ. P. 5(b)(2)(D) and L.R. 5.9.

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