

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

HELADIO HUMBERTO MARTINEZ  
GUZMAN, *individually and on behalf of all  
other similarly situated,*

Plaintiff,

vs.

GDB INTERNATIONAL, INC., SANJEEV  
BAGARIA and SUNIL BAGARIA,

Defendants.

Case No. 13-cv-1145-JPG-PMF

**MEMORANDUM AND ORDER**

This matter comes before the Court on the parties' joint motion for (1) certification of a class for settlement purposes, (2) preliminary approval of a class action settlement, (3) approval of notice to class members, and (4) scheduling a hearing for final approval of the parties' class action settlement agreement (Doc. 33). Having fully and carefully reviewed the motion and supporting memorandum, the proposed settlement agreement (Doc. 33-1), and the proposed notice of class action settlement (Doc. 33-5), the Court finds that the settlement agreement was negotiated at arm's length by the parties and is a fair, reasonable, and adequate resolution of a bona fide dispute in contested litigation. Therefore, the motion (Doc. 33) is **GRANTED**.

Accordingly, the Court **ORDERS** that:

1. The settlement (Doc. 33-1) of the Rule 23 class is preliminarily approved as a fair, reasonable, and adequate resolution of the Rule 23 claims, pending notice to the class and an opportunity to be heard at the final fairness hearing;
2. The parties' proposed Rule 23 class is certified for settlement purposes;

3. The Court approves the notice (Doc. 33-5) as to form and content as reasonable notice practicable under the circumstances and in full compliance with applicable law and directs dissemination and distribution of said notice in accordance with the settlement agreement;
4. Each Rule 23 class member shall have the opportunity to opt-out or object to the Rule 23 settlement, or any of its terms; and
5. The final approval hearing is set for October 1, 2014, at 10:00 a.m. at the U.S. Courthouse, Benton, Illinois.

**IT IS SO ORDERED.**

**DATED:** July 1, 2014

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**