

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

CYNTHIA A. HOUSENKAMP, individually
and on behalf of a class,

Plaintiff,

v.

WELTMAN, WEINBERG & REIS, CO.
OF MICHIGAN d/b/a WELTMAN,
WEINBERG & REIS, CO., L.P.A.; and
WELTMAN, WEINBERG & REIS, CO., L.P.A.,

Defendants.

Case No. 1:09-cv-10613-TLL-CEB

HON. THOMAS L. LUDINGTON

PRELIMINARY APPROVAL ORDER

This matter coming before the Court on the Parties' Joint Motion for Preliminary Approval of Class Settlement Agreement ("Agreement") and Notice to the Class between Cynthia A. Housenkamp ("Plaintiff") and Defendants Weltman, Weinberg & Reis, Co. of Michigan d/b/a Weltman, Weinberg & Reis, Co, L.P.A. and Weltman, Weinberg & Reis, Co., L.P.A., (collectively "Weltman, Weinberg & Reis, Co., L.P.A.").

IT IS HEREBY ORDERED:

1. The Court finds that the proposed settlement is within the range of fairness and reasonableness and grants preliminary approval to it.
2. The Court conditionally certifies the following Class, for settlement purposes only, defined as:

All natural persons with a Michigan address where the person made a payment by credit card on a debt that Weltman Weinberg & Reis Co., L.P.A. was collecting upon where that person was charged a fee for the use of the credit card during a period beginning on February 19, 2008, and ending on March 11, 2009.

There are approximately 155 persons in the class definition above.

3. The Court appoints Cynthia A. Housenkamp as the Class Representative and Warner Law Firm, LLC, and Curtis C. Warner as class counsel (“Class Counsel”).

4. A hearing on the fairness and reasonableness of the Agreement and whether final approval shall be given to it and the requests for fees and expenses by Class Counsel will be held before this Court on **MAY 10, 2010, at 2:00 p.m.**

5. The Court approves the proposed form of notice to the Class, Exhibit C, to be mailed to the last known address of each class member as shown on Defendants’ records. Defendants will mail, or cause to be mailed notice to class members on or before **FEBRUARY 1, 2010.** Defendants will cause any mail returned with a forwarding address to be re-mailed.

6. The Court finds that mailing of notice to the Class and the other measures specified above to locate and notify members of the class are the only notices required and that such notice satisfies the requirements of due process and FED. R. CIV. P. 23(c)(2)(B).

7. Any Class members who desire to exclude themselves from the action must file a request for exclusion with the Clerk of the Court by **MARCH 22, 2010**, and serve copies of the request upon Class Counsel and counsel for Defendants.

8. Any Class members who wish to object to the settlement must submit the objection to the Clerk of the Court by **MARCH 22, 2010**. Any objection must include the name and number of the case and a statement of the reasons why the objector believes that the Court should find that the proposed settlement is not in the best interests of the Class. Objectors, who have filed written objections to the settlement, must also appear at the hearing and be heard on the fairness of the settlement.

9. The parties may file memoranda in support of the Agreement prior to the fairness hearing. Any submission must be filed no later than **APRIL 26, 2010.**

10. Defendants shall also file proof of compliance with the notice requirements, of the Class Action Fairness Act of 2005, 28 U.S.C. §1715(b), on or before **FEBRUARY 1, 2010.**

It is further **ORDERED** that the joint motion for preliminary approval of class settlement agreement and notice to the class [Dkt. # 17] is **GRANTED**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: January 19, 2010

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 19, 2010.

s/Tracy A. Jacobs
TRACY A. JACOBS