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9 UNITED STATES DISTRICT COURT  
 10 DISTRICT OF NEVADA

11 RONALD GRIDER, individually and on behalf of  
 all others similarly situated;

12 Plaintiff,

13 vs.

14 CLARK COUNTY COLLECTION SERVICE,  
 LLC, a Nevada limited-liability company;  
 15 DOLLAR LOAN CENTER, LLC, a Nevada  
 limited-liability company; and DLC EMPIRE,  
 16 LLC, a South Dakota limited-liability company,

17 Defendants.

Case No.: 2:13-cv-01731-KJD-CWH  
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**ORDER GRANTING MOTION FOR PRELIMINARY  
 APPROVAL OF CLASS ACTION SETTLEMENT;  
 AND CERTIFICATION OF SETTLEMENT CLASS**

18  
 19 WHEREAS, Plaintiff and Defendants have reached a proposed settlement and compromise of  
 20 the dispute among them and other similarly situated individuals in the Action, which is set forth in the  
 21 Settlement Agreement filed with the Court; and

22 WHEREAS, Plaintiff has applied to the Court for preliminary approval of the proposed  
 23 Settlement, the terms and conditions of which are set forth in the Settlement Agreement; and

24 WHEREAS, the Court has fully considered the record of these proceedings, the Settlement  
 25 Agreement and all exhibits thereto, the representations, arguments and recommendation of counsel for  
 26 the Parties and the requirements of law; and

27 WHEREAS, it appears to the Court upon preliminary examination that the proposed Settlement  
 28 is fair, reasonable and adequate, and that a hearing should be held after notice to the Settlement Class of

1 the proposed Settlement to finally determine whether the proposed Settlement is fair, reasonable and  
2 adequate and whether a Final Judgment and Order of Dismissal with Prejudice should be entered in this  
3 Action.

4 THE COURT FINDS AND ORDERS AS FOLLOWS:

5 1. The capitalized terms used in this Preliminary Approval Order shall have the same  
6 meaning as defined in the Settlement Agreement except as may otherwise be ordered.

7 2. The Court confirms the Stipulation and Order to Amend Case Caption dated November 2,  
8 2015, which amends the case caption as followed to more accurately reflect the current Plaintiffs and  
9 Defendants in this Action:

10 RONALD GRIDER, individually and on behalf of all others similarly situated;

11 Plaintiff,

12 vs.

13 CLARK COUNTY COLLECTION SERVICE, LLC, a Nevada limited-liability  
14 company; DOLLAR LOAN CENTER, LLC, a Nevada limited-liability company;  
and DLC EMPIRE, LLC, a South Dakota limited-liability company,

15 Defendants.

16 3. The Court preliminarily approves the Settlement Agreement as fair, reasonable and  
17 adequate to the Settlement Class, as falling within the range of possible final approval, and as meriting  
18 notice of the Settlement to persons in the Settlement Class for their consideration and a hearing on the  
19 approval of the Settlement.

20 4. The Settlement Agreement was entered into by experienced counsel and only after  
21 extensive discovery and arms-length negotiations involving two day-long mediations with Lawrence  
22 Leavitt, Retired U.S. Magistrate Judge (January 6, 2015) and Carl W. Hoffman, the U.S. Magistrate  
23 Judge assigned to the Case (June 19, 2015); and one half-day-long mediation with Carl W. Hoffman, the  
24 U.S. Magistrate Judge assigned to the Case (September 22, 2015).

25 5. For purposes of the Settlement only, the Court conditionally certifies the Settlement  
26 Class, which consists of: All natural persons, within the United States, who were called by Clark County  
27 Collection Service, LLC ("CCCS"), on their cellular telephone—excluding calls that were initiated by  
28 manually dialing via a desktop telephone—between September 20, 2009 and September 20, 2013 (the

1 “Class Period”), as a result of having their telephone number listed by a customer of Dollar Loan Center,  
2 LLC as a “Reference” on a credit application; Settlement Class Members do not include recipients of a  
3 single telephone call received as a result of a reassigned telephone number, as defined by the Federal  
4 Communications Commission in its TCPA Omnibus Declaratory Ruling and Order No. 15-72 (July 18,  
5 2015). Excluded from the class are Defendants, any persons, companies, affiliates, subsidiaries or any  
6 employees thereof, and any entities in which any of such companies has a controlling interest; the Judge  
7 or Magistrate Judge to whom the Action is assigned and any member of those Judges’ immediate  
8 families; as well as all persons who validly request exclusion from the Class.

9 The Parties estimate that there are between 10,000 and 18,000 Settlement Class Members. In  
10 order to determine the actual number of Settlement Class Members, each telephone number must be  
11 extracted from Defendants’ records, and all non-cellular phone numbers excluded.

12 6. The Court preliminary finds, for Settlement purposes only, that:

- 13 a. The above-described Settlement Class is so numerous that joinder of all members  
14 is impracticable;
- 15 b. There are questions of law or fact common to the Settlement Class;
- 16 c. The claims of the Class Representative are typical of the claims of the Settlement  
17 Class;
- 18 d. The Class Representative will fairly and adequately protect the interests of the  
19 Settlement Class;
- 20 e. The questions of fact or law common to the members of the Settlement Class  
21 predominate over the questions affecting only individual members; and
- 22 f. Certification of the Settlement Class is superior to other available methods for the  
23 fair and efficient adjudication of the controversy.

24 7. The Court finds that it has personal jurisdiction over all Settlement Class Members.

25 8. The named Plaintiff, Ronald Grider, shall be the Class Representative of the Settlement  
26 Class. This Court preliminarily finds that he will fairly and adequately represent and protect the  
27 interests of the absent Settlement Class Members.  
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1           9.       The Court approves the law firms of Bailey❖Kennedy and Haines & Krieger as  
2 settlement Class Counsel. This Court preliminarily finds that they are competent, capable of exercising  
3 all responsibilities as Class Counsel and will fairly and adequately represent and protect the interests of  
4 the absent Settlement Class Members.

5           10.      The Court approves ILYM Group to serve as the Claims Administrator in this Action.

6           11.      A Final Approval Hearing shall be held before this Court at 9 a.m. on February 21  
7 2017 to address: (a) whether the proposed Settlement should be finally approved as fair, reasonable  
8 and adequate and whether the Final Judgment and Order of Dismissal With Prejudice should be entered;  
9 and (b) whether Class Counsels' Attorney's Fees and Costs Application and the incentive award for the  
10 Class Representative should be approved. Papers in support of final approval of the Settlement, the  
11 incentive award to Class Representative, and Class Counsel's Attorneys' Fees and Costs Application  
12 shall be filed with the Court according to the schedule set forth in Paragraph 21 below. The Final  
13 Approval Hearing may be postponed, adjourned, or continued by order of the Court without further  
14 notice to the Settlement Class. After the Final Approval Hearing, the Court may enter a Final Judgment  
15 and Order of Dismissal With Prejudice in accordance with the Settlement Agreement that will adjudicate  
16 the rights of all Settlement Class Members with respect to the Released Claims being settled.

17           12.      The Court approves, as to form and content, Direct Mail Notices, Q & A Notice, and  
18 summary publication notice substantially similar to the forms attached to the Settlement Agreement as  
19 Exhibits C, D, and E. Direct Mail Notices will be based upon reverse directory lookup of the Class List  
20 as performed by the Claims Administrator. Direct Mail Notices will then be provided to members of the  
21 Settlement Class by first-class U.S. mail to addresses obtained through such reverse directory lookup.  
22 The Claims Administrator shall also establish a Settlement Website and give notice by publication, as  
23 provided in the Settlement Agreement.

24           13.      The information (primarily names and telephone numbers) necessary to the giving of  
25 notice is contained in CCCS's records, and the time and effort required to gather that information in  
26 order to start the notice process is uncertain; accordingly, CCCS is ordered to provide to the Claims  
27 Administrator, in an electronically searchable and readable format, a file containing the names and last  
28 known telephone numbers of the Settlement Class Members within ten (10) days of this order. The

1 Claims Administrator shall gather Settlement Class Member addresses in a commercially reasonable  
2 time – but not longer than 90 days from the date of this Order. When this has been done, the Claims  
3 Administrator shall give notice to the Court and the Parties (the “Notice of Records Review  
4 Completion”).

5 14. Notices to Settlement Class Members may be sent at any time by the Claims  
6 Administrator, but all Direct Mail Notices shall be mailed within 30 days of the date of the Notice of  
7 Records Review Completion. No later than five business days prior to the Final Approval Hearing, the  
8 Claims Administrator shall file with the Court a declaration attesting to compliance with this Order.

9 15. The cost of providing notice to the Settlement Class Members and claims administration  
10 shall be paid from the Settlement Fund, as provided for in the Settlement Agreement.

11 16. The notice program, as directed in this Order, constitutes the best notice practicable under  
12 the unique circumstances of this case and is reasonably calculated to apprise the members of the  
13 Settlement Class of the pendency of this Action and of their right to object to the Settlement or exclude  
14 themselves from the Settlement Class. The Court further finds that the notice program as outlined in  
15 Paragraph 12 is reasonable, that it constitutes due, adequate and sufficient notice to all persons entitled  
16 to receive such notice and that it meets the requirements of due process and of Federal Rule of Civil  
17 Procedure 23. Nothing herein shall impact Class Counsels’ ability to discharge their attorney-client  
18 obligations to the Settlement Class Members, including the discussion and explanation of the  
19 Settlement.

20 17. Any of the Settlement Class Members who elect to exclude themselves shall not be  
21 entitled to receive any of the benefits of the Settlement, shall not be bound by the release of any claims  
22 pursuant to the Settlement Agreement, and shall not be entitled to object to the Settlement or appear at  
23 the Final Approval Hearing.

24 18. Any Settlement Class Member who does not submit a valid and timely request for  
25 exclusion may object to the proposed Settlement. To be valid, the objection must either be filed through  
26 the Court’s CM/ECF system or sent via mail to the Clerk of the Court and sent to Class Counsel and  
27 Defendants’ Counsel no later than ten (10) days before the Final Approval Hearing date. The Settlement  
28 Class Member must include in the objection his/her full name, address, and telephone number, the

1 reasons for his or her objection, and, if represented by counsel, the name and address of his or her  
2 counsel. An objecting Settlement Class Member must attach documents establishing, or provide  
3 information sufficient to allow the Parties to confirm, that the objector is a member of the Settlement  
4 Class, state, specifically and in writing, all objections and the basis for any such objections, as well as  
5 identify any documents which such objector desires the Court to consider, and provide a statement of  
6 whether he or she intends to appear at the Fairness Hearing, either with or without counsel. Any  
7 Settlement Class Member who fails to timely file and serve a written objection and notice of his or her  
8 intent to appear at the Fairness Hearing shall be deemed to have waived any objection, shall not be  
9 permitted to object to the approval of the Settlement at the Fairness Hearing and shall be forever  
10 foreclosed from making any objection to the fairness, reasonableness, or adequacy of the proposed  
11 Settlement, the plan of payment, the award of any costs and attorney fees, incentive awards or from  
12 seeking any review of the Settlement or the terms of the Settlement Agreement by appeal or other  
13 means.

14 19. For any objection filed, the Clerk of the Court is ordered to redact any social security  
15 number, the street address, telephone number and last name, except first letter of the last name of the  
16 objector, in order to protect the objector's privacy. The first name, first letter of the last name, city, state  
17 and zip code as well as the substance of the objection will not be redacted.

18 20. All proceedings in this Action are stayed until further order of the Court, except as may  
19 be necessary to implement the terms of the Settlement.

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21. Further settlement proceedings in this matter shall proceed according to the following schedule:

EVENT	SCHEDULED DATE
Direct Mail Notices mailing date	120 days after entry of Preliminary Approval Order
Parties' briefs in support of the Settlement, including fee application and incentive award due	14 days prior to Final Approval Hearing
Last day for Class Members to opt-out of Settlement	130 days after the date the Direct Mail Notices are initially mailed
Last day for objections to the Settlement to be filed with the Court	10 days before the Final Approval Hearing
Last day to submit a Valid Claim Form	120 days after the date the Direct Mail Notices are initially mailed
Parties to file responses to objections, if any	7 days prior to the Final Approval Hearing
Final Approval Hearing	To be determined by the Court

22. In the event that a Final Approval Order and Judgment is not entered by the Court, or the Effective Date of the Settlement does not occur, or the Settlement Agreement otherwise terminates according to its terms, this Order and all orders entered in connection therewith shall become null and void, shall be of no further force and effect, and shall not be used or referred to for any purposes whatsoever, including without limitation for any evidentiary purpose (including but not limited to class certification), in this Action or any other action. In such event, the Settlement Agreement, exhibits, attachments and all negotiations and proceedings related thereto shall be deemed to be without prejudice to the rights of any and all of the Parties, who shall be restored to their respective positions as of date and time immediately preceding the execution of the Settlement Agreement.

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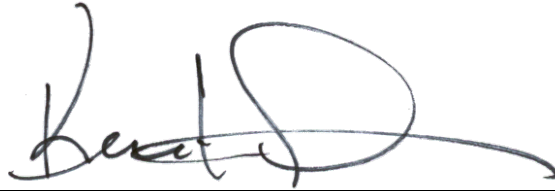
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23. The Court may, for good cause, extend all of the deadlines set forth in this Order without further notice to the Settlement Class.

IT IS SO ORDERED.

Dated: May 31, 2016



THE HON. KENT J. DAWSON  
UNITED STATES DISTRICT COURT JUDGE

Respectfully Submitted by:

BAILEY ♦ KENNEDY

By: /s/ Dennis L. Kennedy  
DENNIS L. KENNEDY  
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