

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:23-cv-01660-BO-RN

DEBORAH RUFFIN, *individually and*)
on behalf of all others similarly situated,)
Plaintiff,)
v.)
CVS PHARMACY, INC.,)
Defendant.)

ORDER

This matter comes before the Court on the consent motion of Plaintiff Ruffin [DE 28] seeking an order modifying the schedule previously set out by this Court [DE 27]. Having received the consent of the Defendant, this motion is GRANTED.

WHEREAS plaintiff Deborah Ruffin (“Plaintiff”) and defendant CVS Pharmacy, Inc. (“CVS,” and together with Plaintiff, the “Parties”), have entered a settlement agreement to resolve economic loss claims for a putative nationwide class of customers who purchased various store-brand over-the-counter lubricating eye drops and multi-action relief eye drops from CVS that were subject to a recall in Fall 2023;

WHEREAS Plaintiff filed a motion for preliminary approval of this proposed classwide settlement on February 18, 2025 [DE 22];

WHEREAS the Parties subsequently amended the settlement agreement, and Plaintiff filed the full settlement agreement (together with the amendment, the “Settlement Agreement”) on the Court’s docket on April 1, 2024 [DE 25];

WHEREAS the Court granted preliminary approval to the proposed Settlement Agreement on April 25, 2025 and directed Plaintiff to effectuate class notice pursuant to the Settlement [DE 27];

WHEREAS Plaintiff has requested that the Court amend the deadlines stated in the Preliminary Approval Order to accord with the time periods contemplated in the Settlement Agreement for completing pre-approval processes;

WHEREAS Plaintiff has shown good cause that the requested scheduling order would promote the interests of the Parties and proposed class members by ensuring the potential class members have sufficient time to respond to class notice prior to the final approval hearing;

WHEREAS CVS consents to Plaintiff's motion;


THEREFORE, the Court hereby **FINDS and ORDERS** that the deadlines in the Preliminary Approval Order [DE 27], are hereby amended and replaced with the following:

1. CVS shall produce information in response to Plaintiff's First Set of Requests For Production, in accordance with the Court's Order Regarding Production of Personally Identifying Information (the "PII Order"), within ten (10) days of the entry of the PII Order. The date of entry of the PII Order will be referred to as the "Order Date."
2. Class Counsel shall file papers in support of their Fee Award and Class Representative's Service Award (collectively, the "Fee Petition") with the Court within twenty-four (24) days of the Order Date.
3. The Notice Plan shall be completed as outlined in Section 4 of the Settlement Agreement within thirty-eight (38) days of the Order Date.
4. Objections shall be filed in accordance with Paragraph 21 of the Preliminary Approval Order within ninety-eight (98) days of the Order Date.
5. Requests for Exclusion shall be submitted in accordance with Paragraph 14 of the Preliminary Approval Order within ninety-eight (98) days of the Order Date.
6. Any Election Forms or Claim Forms shall be submitted within ninety-eight (98) days of

the Order Date.

7. Papers in support of final approval of the Settlement Agreement, any responses to objections (if any) and supplementations to the Fee Petition shall be filed with the Court within one hundred and twenty-one (121) days of the Order Date ; and
8. The Final Approval Hearing shall be held before this Court at least one hundred twenty-eight (128) days after the Order Date, which will be on Oct. 25, 2025, **2025**, at the J. Herbert W. Small Federal Building and U.S. Courthouse, located at **306 East Main Street, Elizabeth City, North Carolina 27909** at **10:00 AM**.

SO ORDERED, this 10 day of June 2025.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE