

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ALAN B. MARCUS, Individually and on Behalf of All Others Similarly Situated, Plaintiffs, v. J.C. PENNEY COMPANY, INC., et al., Defendants.	§ § § § § § § § § §	CIVIL ACTION NO. 6:13-CV-00736-RWS
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**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of the Motion and Memorandum of Law in Support of Plaintiffs’ Unopposed Motion for Preliminary Approval of Settlement and Approval of Notice to the Class (Docket No. 159), has been presented for consideration. The Report and Recommendation (Docket No. 161), filed on June 20, 2017, recommends that the motion be granted and that the Court enter the proposed Order Preliminarily Approving Settlement and Providing for Notice. On June 27, 2017, the parties filed a Joint Notice of No Objections (Docket No. 162), stating that the parties reviewed the Report and Recommendation and do not have any objections. The Court therefore **ADOPTS** the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is **ORDERED** that the Motion and Memorandum of Law in Support of Plaintiffs’ Unopposed Motion for Preliminary Approval of Settlement and Approval of Notice to the Class (Docket No. 159) is **GRANTED**. Separately, the Court will enter an order

preliminarily approving the class-action settlement, approving the form and manner of class notice,
and scheduling a date for a fairness hearing.

SIGNED this 24th day of July, 2017.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE