

**IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA**

**CHARLENE BAKER,  
on behalf of herself and  
all others similarly situated,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO: 15-C-164  
Tera Salango, Judge**

**E.J. HAGAN ASSOCIATES, P.C.,  
and EDWARD J. HAGAN,**

**Defendants.**

**AGREED ORDER RESETTING FAIRNESS HEARING AND OTHER DEADLINES**

On April 23, 2019, this Court entered its order preliminarily approving the proposed class action settlement in this matter and directing the giving of class notice and the further proceedings necessary to prepare for a fairness hearing. Paragraph 6 of that order scheduled the fairness hearing for 9:00 A.M. on June 6, 2019, set a claim filing, objection, and opt out deadline of May 10, 2019, and provided a period of several weeks for providing class notice after a preliminary approval order was entered.

The Court and the parties agree the dates and deadlines set in the April 23, 2019 order are incompatible with the notice and claim processes otherwise specified by that order. Accordingly, upon consent of class counsel and counsel for the defendants, the April 23, 2019 order preliminarily approving the class settlement is hereby modified only as follows:

1. the fairness hearing will be held at 1:30 P. M. on Thursday, September 26, 2019;
2. Class member claims, objections, and/or opt out elections shall be directed to the claims administrator and must be postmarked, or delivered by fax, email, or personal delivery to the claims administrator no later than 11:59 P.M., Friday, September 5, 2019;
3. the claims administrator shall serve a preliminary class roster identifying the names

and last known addresses of those entitled to notice upon counsel for the defendants on or before June 15, 2019. Defendants shall respond to that preliminary roster with additions, deletions, or corrections on or before June 28, 2019;

4. the claims administrator will make the initial mailing of class notice to all those identified on the preliminary class roster as revised no later than July 12, 2019;

5. the claims administrator shall complete all required publications of class notice no later than July 29, 2019.

All other deadlines and requirements set forth in the order of April 23, 2019 remain in force without change.

The claims administrator is hereby ORDERED to complete the approved class notice form in accord with the dates and deadlines set forth in this agreed order, and to provide notice to absent class members accordingly.

SO ORDERED.

June 4, 2019  
Date

  
\_\_\_\_\_  
Circuit Judge

Approved:

/s/ Gary M. Smith

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