

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

DAVID STERN & ANN MONAHAN,)
Individually And As Representatives of a Class of)
Similarly Situated Persons,)
Plaintiffs,)
) Case No. 17 CH 17101
) Calendar 14
vs.)
)
LEANING TREE CHUTE LLC &)
RESIDE LIVING LLC,)
Defendants.)

PRELIMINARY APPROVAL ORDER

This matter coming before the Honorable Court on the parties' Second Amended Agreed Motion for Preliminary Approval of the Class Action Settlement Agreement between Plaintiffs, Defendants, the Parties in Settlement Agreement, the Court being fully advised in the Premises, IT IS HEREBY ORDERED:

1. The Court finds that the Settlement Agreement is within the range of fairness and reasonableness and grants preliminary approval to it.
2. The Court hereby certifies the following Class to proceed with respect to the claims against Defendants and defines "Class" or "Class Members" as follows:

"Those persons who have not executed releases of claims with respect to their leases for an apartment located at any property owned and/or managed by Defendants on or after December 28, 2015, and who have claims pursuant to Section 5-12-170 of the Chicago Residential Landlord and Tenant Ordinance ("CRLTO"), because those persons did not receive an official and complete versions of either the RLTO Summary and/or RLTO Separate Summary when their rental agreements were initially offered or renewed."
3. In accordance with the parties' Settlement Agreement, no later than 30 business days after the Court's Order Granting Preliminary Approval of Class Settlement has been served upon it by Class Counsel, Defendants shall provide the Third Party Administrator ("TPA" with a list of all Class Members. This list shall state the last known email address of each Class Member. If either the Class Member's email address is not known or "bounces back", Defendants shall provide the TPA with the tenant's current and/or last known physical address in the Defendants' possession.

4. Notice by Email and/or Regular Mail: Within (14) business days of providing TPA with the class list emails, notice of proposed class settlement will be emailed to all Class Members; if an email is not available, or, if, after emailing to the last known email address, a "bounce back" message is received that the email did not go through, then notice shall be mailed to the last known address in the possession of Defendants for the tenant.
5. Notice by Publication: TPA shall publish Notice of Class Settlement in the either the Chicago Tribune, or Chicago Sun Times, or other newspaper or periodical the Court approves, at Defendant's expense, no later than 30 business days after the Court's Order Granting Preliminary Approval of Class Settlement. The publication will be a standard legal notice in the classified/legal notice section of one publication. Defendants shall reimburse TPA the cost of publication within (7) business days after receipt of an invoice from the publication that published the notice.
6. Class Members shall have until **APRIL 29, 2019** to opt out, to submit a claim form, or object to the proposed settlement. Any Class Members who desire to exclude themselves from the action (opt out) must submit written request for exclusion to The Heffler Group postmarked (or by email) on or before **APRIL 29, 2019**. The request for exclusion must state your name, address, and the name and number of the case.. Any Class Members who have not requested exclusion from the Class who wish to object to the settlement must file a written objection with the Clerk of the Circuit Court and serve copies of the objection on counsel for Plaintiff and Defendant postmarked on or before **APRIL 29, 2019**. 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 interest of the Class. Objectors, who have filed written objections to the settlement, may also appear at the hearing and be heard on the fairness of the settlement.
7. Class Counsel shall file any attorney affidavit and any memoranda in support of the final approval of the settlement and such final approval memorandum shall be delivered to the Court by ~~APRIL 29, 2019~~.

MAY 10, 2019

8. 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, and request for incentive award by Plaintiff will be held before this Honorable Court on 5-31, 2019 at 11 AM in front of Judge Sophia Hall in Room 230 without further notice,

DATE: _____

ENTERED: _____

