UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: EQUIFAX FAIR CREDIT REPORTING ACT LITIGATION	CIVIL ACTION NO.: 1:22-CV-3072 LMM

ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

This matter is before the Court on Plaintiffs' Unopposed Motion for Preliminary Approval of the Class Action Settlement of the above-captioned case between Plaintiffs Sarah Hunter, Maurice Moore, and Michael Rodela and Defendants Equifax Information Services LLC and Equifax, Inc. (collectively, "Equifax") (the "Action"), as set forth in the Parties' Settlement Agreement.

Having duly considered the filings made in connection with the Motion,

THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS:

1. The Court finds that it has jurisdiction over the Action, each of the Parties, and all Settlement Class Members for purposes of considering and, if finally approved, effectuating the Settlement.

2. Unless otherwise defined herein, all defined terms in this Order shall have the meanings ascribed to them in the Agreement.

3. Defendants do not oppose the Court's entry of the proposed Preliminary Approval Order.

4. This Court has considered all of the presentations and submissions related to the Motion and, having presided over and managed this Action, is familiar with the facts, contentions, claims, and defenses as they have developed in these proceedings.

Likelihood of Certification of the Settlement Class

5. Pursuant to Rule 23(e)(1)(B)(ii), and for purposes of settlement only, the Court finds that it will likely be able to certify the Settlement Class under Rules 23(a) and (b)(3) of the Federal Rules of Civil Procedure. The Settlement Class is defined as: "All individuals in the United States for whom a credit score or credit attribute that differed from what it would have been absent the OMS Issue, according to the OMS Analysis, was reported by Equifax to a third party in connection with a Class Transaction." Excluded from the Settlement Class are the following persons: Equifax, its affiliates, employees, officers, directors, and the judge(s) assigned to this case.

6. The Court finds that, for purposes of settlement only, the prerequisites for a class action under Rules 23(a) and (b)(3) of the Federal Rules of Civil Procedure have likely been satisfied in that: (a) the members of the Settlement Class are so numerous that joinder of all Settlement Class Members in the class

action is impracticable; (b) there are questions of law and fact common to the Settlement Class; (c) the claims of the Class Plaintiffs are typical of the claims of the Settlement Class; (d) the Class Plaintiffs and their counsel have fairly and adequately represented and protected the interests of Settlement Class Members; (e) the questions of law or fact common to Settlement Class Members predominate over any questions affecting only individual members; and (f) a class action is superior to other available methods for the fair and efficient adjudication of the controversy. The Court notes that the fact that it is being asked to certify a settlement class, rather than a litigation class, eliminates any manageability concerns that might otherwise arise in connection with a trial of Plaintiffs' claims. *Amchem Prods., Inc. v. Windsor*, 521 U.S. 591, 620 (1997).

Likelihood of Approval of the Class Settlement

7. The Court has preliminarily evaluated the Settlement as set forth in the Agreement for fairness, adequacy, and reasonableness. As part of that evaluation, the Court notes that the Parties reached the Settlement through arm's-length negotiations. Based on the Court's evaluation, the Court finds under Rule 23(e)(1)(B)(i) that it is likely to approve the Settlement in light of the fact that: (A) the class representatives and class counsel have adequately represented the class; (B) the Settlement was negotiated at arm's length; (C) the relief provided for the Settlement Class is adequate, taking into account: (i) the costs, risks, and delay of

trial and appeal; (ii) the effectiveness of the proposed method of distributing relief to the Settlement Class, including the method of processing Settlement Class Members' claims; (iii) the terms of the proposed award of attorney's fees, including timing of payment; and (iv) the lack of additional agreements identified under Rule 23(e)(3); and (D) the Settlement treats Settlement Class Members equitably relative to each other. Moreover, the Court has preliminarily evaluated the Settlement under the additional factors for consideration enumerated in *Bennett v. Behring Corp.* and finds that it is likely to approve the Settlement under the *Bennett* factors as well. *See generally* 737 F.2d 982, 986 (11th Cir. 1984).

8. Based on the above findings, the Court concludes that it will likely be able to approve the Settlement as fair, reasonable, and adequate and that providing notice of the Settlement to the Settlement Class consistent with the notice plan set forth in the Agreement is warranted.

9. A Fairness Hearing shall be held before this Court on **January 22, 2027, at 2:00 p.m.** in Courtroom 2107, at the United States District Court for the Northern District of Georgia, United States Courthouse, Richard B. Russell Federal Building, 75 Ted Turner Drive, S.W., Atlanta, Georgia 30303, to make a final determination of whether the proposed Settlement of the Action is fair, reasonable, and adequate and should be approved by the Court; to determine whether the Settlement Class should be certified; to determine whether a Final Approval Order

and Final Judgment approving the Settlement should be entered; to determine whether the plan for distribution of claims should be approved; to determine any amount of attorneys' fees, costs, and expenses that should be awarded to Class Counsel; to hear any objections by Settlement Class Members to the Settlement, claims process, or award of attorneys' fees and costs to Class Counsel; and to consider such other matters as the Court may deem appropriate.

10. The Fairness Hearing may be continued by order of the Court without further notice to the Settlement Class except that the Parties shall update the Settlement Website to reflect the date of the hearing. After the Fairness Hearing, the Court may enter a Final Approval Order in accordance with the Agreement that will adjudicate the rights of the Settlement Class Members (as defined in the Settlement) with respect to the claims being settled.

11. Pursuant to Rule 23(c) of the Federal Rules of Civil Procedure, the Court appoints for settlement purposes only Verita Global ("Settlement Administrator") to supervise and administer the notice procedure as well as the processing of claims as more fully set forth in the Agreement. The Settlement Administrator shall establish a post office box, email address, and the Settlement Website in the name of the Settlement Administrator, to be used for receiving Opt-Out Requests, Claim Forms, and any other communications from Settlement Class

Members. The Settlement Website shall be made publicly available no later than 28 days after the entry of this Order.

Notice to Class Members

12. Under Rule 23(c)(2)(B), the Court finds that the content, format, and method of disseminating notice under the Settlement Class Notice Program, as set forth in the Motion and the Settlement Agreement, is (i) the best notice practicable under the circumstances; (ii) reasonably calculated to apprise the Settlement Class of their right to object to or exclude themselves from the Settlement; and (iii) constitutes due, adequate, and sufficient notice to all persons entitled to receive notice, satisfying the requirements of Rule 23 and the Due Process Clause of the United States Constitution. The Court approves such notice and hereby directs that such notice be disseminated no later than 42 calendar days following the entry of this Order (the "Notice Date"), in the manner set forth in the proposed Agreement.

13. The Court approves the form of the Emailed Class Notice, Mailed Class Notice, Published Class Notice, and Claim Form. The Court expressly authorizes and instructs the Settlement Administrator to send the Reminder Notice, as provided in the Agreement, 60 days after the Notice Date to Settlement Class Members who have not submitted a Claim Form.

14. The Settlement Administrator shall send the CAFA Notice required by 28 U.S.C. § 1715 to the appropriate federal and state officials as identified in 28

U.S.C. § 1715(a) within 10 calendar days after the Motion for Preliminary Approval is filed with the Court.

15. Settlement Class Members who wish to either object to the Settlement or request to be excluded from it must do so by the Objection Deadline and Opt-Out Deadline, which are both 60 calendar days after the Notice Date. Settlement Class Members may not both object and opt out. If a Settlement Class Member submits both an Opt-Out Request and an Objection, they will be deemed to have requested to opt out and not to have objected.

16. Settlement Class Members who wish to receive a payment from the Settlement must submit a valid Claim Form to the Settlement Administrator by the Claim Deadline, which is 90 calendar days after the Notice Date.

17. To submit an Opt-Out Request, a Settlement Class Member must mail a compliant, written Opt-Out Request to the Settlement Administrator at the address designated in the Class Notice by the Opt-Out Deadline. In the Opt-Out Request, the Settlement Class Member must provide: (i) the Settlement Class Member's full name; (ii) current street address; (iii) email address (if any); (iv) a clear statement that the Settlement Class Member wishes to be excluded from the Settlement Class; and (v) the Settlement Class Member's personal signature. If the Settlement Class Member is represented by counsel, the Opt-Out Request must also identify counsel's name, address, telephone number, and email address.

Requests for exclusion must be exercised individually by the Settlement Class Member; no mass or class opt-outs shall be permitted. No person may exclude any other Settlement Class Member from the Settlement Class.

18. If a timely and valid Opt-Out Request is made by a member of the Settlement Class, then the Court will exclude that person from the Settlement and that person will not be a Settlement Class Member, and the Agreement and any determinations and judgments concerning it will not bind the excluded person.

19. All Settlement Class Members who do not opt out in accordance with the terms set forth in the Agreement will be bound by all proceedings, orders, and judgments in the Action, even if such Settlement Class Member has previously initiated or subsequently initiates individual litigation or other proceedings encompassed by the Release.

20. To object to the Settlement, a Settlement Class Member must file a written objection with the Court and serve it on Class Counsel and Defendants' Counsel by the Objection Deadline. The written objection must: (i) identify the Settlement Class Member by name; (ii) identify the Settlement Class Member's current street address and current e-mail address (if any); (iii) attach copies of any materials that the Settlement Class Member contends support the objection or will be submitted by or on behalf of the objecting Settlement Class Member to the Court or presented at the Fairness Hearing; (iv) be personally signed by the

Settlement Class Member; (v) if the Settlement Class Member is represented by counsel, provide such counsel's name, address, telephone number, and e-mail address; and (vi) clearly state in detail the legal and factual ground(s) for the objection. The foregoing requirements are set to permit a fair assessment of the objection. Any Settlement Class Member who objects and wishes to be heard at the Final Approval Hearing must also file a notice of intent to appear with the Clerk of the Court no later than fourteen (14) calendar days before the Final Approval Hearing, and must provide both Class Counsel and Equifax's Counsel with copies of the notice of intent to appear.

21. Any Settlement Class Member who fails to timely raise an objection to the Settlement or who fails to otherwise comply with the requirements for objections set forth herein and in Section XII.A of the Agreement shall be foreclosed from seeking any adjudication or review of this Settlement by appeal or otherwise.

22. Any attorney hired by or appearing on behalf of a Settlement Class Member for the purpose of objecting to the proposed Settlement and/or who intends to make an appearance at the Fairness Hearing shall file with the Clerk of Court a notice of intention to appear no later than 14 calendar days before the Fairness Hearing, and serve a copy thereof upon Class Counsel and Defendants' Counsel.

23. Any response to an objection shall be filed with the Court no later than 14 calendar days prior to the Fairness Hearing.

24. All Settlement Class Members are preliminarily enjoined from: (i) filing, commencing, prosecuting, intervening in, or participating as plaintiff, claimant, or class member in any other lawsuit or administrative, regulatory, arbitral, or other proceeding in any jurisdiction based on the Released Claims; (ii) filing, commencing, participating in, or prosecuting a lawsuit or administrative, regulatory, arbitral, or other proceeding as a class action on behalf of any member of the Settlement Class who has not timely excluded himself or herself (including by seeking to amend a pending complaint to include class allegations or seeking class certification in a pending action), based on the Released Claims; or (iii) attempting to effect opt-outs of a class of individuals in any lawsuit or administrative, regulatory, arbitral, or other proceeding based on, relating to, or arising out of the claims and causes of action or the facts and circumstances giving rise to the Action and/or the Released Claims. Notwithstanding the foregoing, nothing in this Order prevents members of the Settlement Class from participating in any action or investigation initiated by a state or federal agency.

25. Class Counsel shall file their Motion for an Award of Attorneys' Fees, Costs, and Expenses at least 21 calendar days prior to the Objection Deadline.

26. The Settlement Administrator shall provide the final Opt-Out List to Class Counsel and Defendants' Counsel no later than 7 days after the Opt-Out Deadline. Class Counsel shall file the Opt-Out List with an affidavit or declaration attesting to the completeness and accuracy thereof no later than 5 days thereafter. If the Settlement is ultimately approved, the Court will enter an order identifying the final and effective Opt-Outs and excluding those individuals from the Settlement Class.

27. Pending the final determination of whether the Settlement should be approved, all pre-trial proceedings and briefing schedules in the Action are stayed. If the Settlement is terminated or final approval does not for any reason occur, the stay will be immediately terminated.

28. If the Court grants final approval of the Settlement, all Settlement Class Members who have not been excluded from the Settlement Class shall be bound by all provisions of the Settlement Agreement and all rulings and judgments in the Action, including, but not limited to the Settlement Agreement, the distribution plan in the Settlement Agreement, and any Final Order and Judgment dismissing the Action with prejudice, and the Released Claims of all Settlement Class Members shall be barred on the date of the Final Order and Judgment as defined in the Settlement Agreement.

29. If the Settlement is not approved or consummated for any reason whatsoever, the Settlement and all proceedings in connection with the Settlement will be without prejudice to the right of Defendants or the Class Plaintiffs to assert any right or position that could have been asserted if the Agreement had never been reached or proposed to the Court. In such an event, the Parties will return to the status quo ante in the Action.

30. The Agreement and any and all negotiations, documents, and discussions associated with it, will not be deemed or construed to be an admission or evidence of any violation of any statute, law, rule, regulation, or principle of common law or equity, or of any liability or wrongdoing, by Defendants, or the truth of any of the claims, and evidence relating to the Agreement will not be discoverable or used, directly or indirectly, in any way, whether in the Action or in any other action or proceeding, except for purposes of demonstrating, describing, implementing, or enforcing the terms and conditions of the Agreement, this Order, and any Final Approval Order.

31. Counsel are hereby authorized to use all reasonable procedures in connection with approval and administration of the Settlement. The Court reserves the right to approve the Agreement with such modifications, if any, as may be agreed to by the Parties without further notice to the members of the Settlement Class.

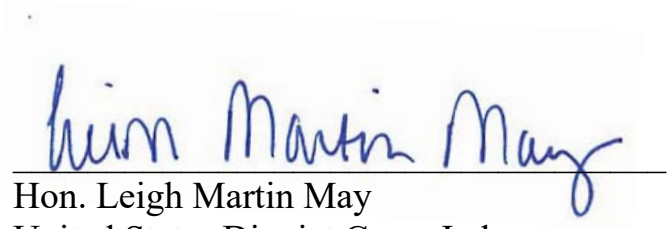
32. Accordingly, the following are the deadlines by which certain events must occur:

Event	Deadline
CAFA Notice mailed to federal and state officials	10 calendar days after the Motion for Preliminary Approval is filed
Settlement Website publicly available	28 days after entry of Preliminary Approval Order
Class Notice mailed or emailed (the "Notice Date")	42 days after entry of Preliminary Approval Order
Last day for Class Counsel to file Motion for Attorneys' Fees, Costs, and Expenses	21 days prior to Objection Deadline (i.e., 39 days after the Notice Date)
Reminder Notice sent to Settlement Class Members who have not submitted a Claim Form	60 days after the Notice Date
Last day for Settlement Class Members to object to or opt out of the Settlement (Objection Deadline / Opt-Out Deadline)	60 calendar days after the Notice Date
Settlement Administrator provides final Opt-Out List to counsel	7 days after the Opt-Out Deadline
Opt-Out List filed with the Court	5 days after receipt of the Opt-Out List from the Settlement Administrator
Last day for Settlement Class Members to submit a Claim Form (Claim Deadline)	90 calendar days after the Notice Date
Notice of intention to appear filed by objecting counsel	14 calendar days before the Fairness Hearing
Responses to objections filed	14 calendar days before the Fairness Hearing
Fairness Hearing	January 22, 2027, at 2:00 p.m.

33. The Court shall maintain continuing jurisdiction over these proceedings for the benefit of the Settlement Class defined in this Order.

IT IS SO ORDERED

this 17th day of August, 2026.



Hon. Leigh Martin May
United States District Court Judge