

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAMES ZOLLICOFFER and NORMAN GREEN,
on behalf of themselves and similarly situated
laborers,

Plaintiffs,

v.

GOLD STANDARD BAKING, INC.,
PERSONNEL STAFFING GROUP, LLC d/b/a
MOST VALUABLE PERSONNEL d/b/a MVP

Defendants.

Case No. 13-cv-1524

Honorable Sara L. Ellis

Magistrate Judge Kim

PRELIMINARY APPROVAL ORDER

James Zollicoffer and Norman Green (“Named Plaintiffs” or “Class Representatives”) and Gold Standard Baking, Inc. and Personnel Staffing Group, LLC d/b/a MVP a/k/a PSG OLDCO, LLC (“PSG”) (collectively, the “Settling Defendants”), (collectively, the “Settling Parties”), having reached two partial settlements in this matter on a class-wide basis, the Court having reviewed the Partial Class Action Settlement Agreements, the record in this Litigation, and Plaintiffs’ Unopposed Motion for Preliminary Approval of the Parties’ Partial Class Action Settlement Agreements and for Approval of the Form and Manner of Class Notice and Scheduling of a Hearing for Final Approval of Settlement,

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Court hereby preliminarily approves the Partial Class Action Settlement Agreements (“Settlement Agreements”) as being fair, reasonable and adequate. The Settlement Agreements are the result of arm’s-length negotiations between experienced attorneys who are familiar with class action litigation in general and with the legal and factual issues of this case in particular.

2. The Court has jurisdiction over the subject matter of this lawsuit and the Parties, including the members of the Class, as defined below.

3. In an Order issued on July 13, 2020 [795], the Court certified a class in this matter defined as:

African American laborers who sought work assignments through MVP to work at GSB, but on one or more occasion were not assigned to work at GSB when a position was available during the period of two years prior to the filing of Plaintiffs' original complaint for the § 1981 claims, or February 27, 2011, up through and including December 31, 2014.

4. The claims being certified for purposes of this settlement are limited to the Released Claims against Gold Standard Baking, Inc. and PSG and their Releasees as those terms are defined in the Settling Parties' Partial Class Action Settlement Agreements, which are attached hereto as Attachments 1 and 2, and are incorporated into this Order of Preliminary Approval.

5. The Court appoints Plaintiffs James Zollicoffer and Norman Green as Class Representative and attorneys Joseph Sellers and Harini Srinivasan of Cohen, Milstein, Sellers & Toll, PLLC and Christopher Wilmes and Caryn Lederer of Hughes, Socol, Piers, Resnick & Dym, Ltd. as Class Counsel. The Court finds that the Class Representatives and Class Counsel have provided adequate representation to the Class.

6. The Court appoints Settlement Services, Inc. as the Claims Administrator. The Claims Administrator shall comply with all of the duties and requirements set forth in the Settlement Agreements and applicable federal, state, and local law.

7. The Court approves, as to form and content, the proposed Claim Form and Notice of Class Action Settlement attached to the Settlement Agreements as Exhibits A, B, C, and E, respectively. The Court finds that the procedures for notifying the Class about the Settlement as described in the Settlement Agreements provide the best notice practicable under the circumstances and therefore meet the requirements of due process.

8. A Fairness Hearing for purposes of determining whether the Settlement Agreements should be finally approved, shall be held before this Court on April 4, 2023, at 10:00 a.m. and may be continued from time to time without further notice.

9. The Court reserves exclusive and continuing jurisdiction over this Litigation, the Class Representatives, the Class and the Settling Defendants for the purposes of: (1) supervising the implementation, enforcement, construction, and interpretation of this Order and the Settlement Agreement upon the entry of a Final Order by this Court granting final approval of the Settlement Agreement and dismissing the Settling Defendant from this Litigation with prejudice, or in the event of an appeal of such Final Order, the final resolution of the appeal upholding the Final Order; (2) hearing and determining any application by Class Counsel for an award of attorneys' fees and costs; (3) supervising the distribution of the Settlement Fund; and (4) resolving any disputes or issues that may arise in connection with this Litigation or the Settlement of this Litigation.

IT IS SO ORDERED.



Sara L. Ellis
United States District Judge
Northern District of Illinois

Dated this 17th day of November, 2022