

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MICHAEL KERNEN, on behalf of)
himself and all others similarly situated,)

Plaintiff,)

v.)

Case No. CIV-18-00107-JD

CASILLAS OPERATING, LLC,)

Defendant.)

FINAL PLAN OF ALLOCATION ORDER

On March 3, 2023, Class Representative Michael Kernén filed his Motion for Approval of Final Plan of Allocation Order [Doc. No. 126]. Having held a Final Fairness Hearing in this action on November 17, 2021, in which the Court fulfilled its duties to consider objections and independently evaluate the fairness, reasonableness, and adequacy of the Settlement, and thereafter finally approved the Settlement, and having thereafter entered the Initial Plan of Allocation Order to instruct the Parties and the Settlement Administrator on the manner in which the Net Settlement Fund shall be allocated and distributed to Class Members, the Court now enters this Final Plan of Allocation Order.¹

¹ Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Amended Stipulation and Agreement of Settlement (“Settlement Agreement”) [Doc. No. 100-1], which is incorporated as if fully set forth herein.

The Court ORDERS that the Parties and the Settlement Administrator are to promptly carry out the terms of this Order for distribution of the Net Settlement Fund as follows:

1. The Court finds that the parties have acted with reasonable diligence and in good faith to conform to the Settlement Agreement [Doc. No. 100-1] and the Initial Plan of Allocation Order [Doc. No. 122].

2. The Court has reviewed Class Representative's Motion for Approval of Final Plan of Allocation Order and finds that the proposed Final Plan of Allocation complies with the Settlement Agreement and the Initial Plan of Allocation. As a result, the Court GRANTS the Motion.

3. The Net Settlement Fund shall be distributed to Class Members according to Exhibit 2 to Class Representative's Motion for Approval of Final Plan of Allocation Order [Doc. No. 126-2]. If payment cannot be made to 100% of the Class, any undistributed Net Settlement Funds will be handled as set forth in the Initial Plan of Allocation Order and the Settlement Agreement.

IT IS SO ORDERED this 16th day of March 2023.



JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE