

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE
U.S. DISTRICT COURT
AT ROANOKE, VA
FILED

August 09, 2024
LAURA A. AUSTIN, CLERK
BY: s/ S. Neily, Deputy Clerk

TROY SHANNON HARLOW

§

MARK STEPHEN ESTES

§

§

KIMBERLY PORTER FERWELL,

§

§

BEATRIZ VILLEGAS-RODRIGUEZ

§

§

and

§

ADVERSARY NO. 20-07028

RODOLFO RODRIGUEZ,

§

on behalf of themselves and all
others similarly-situated,

§

DISTRICT COURT NO. 7:24-cv-00424

§

§

Plaintiffs,

§

§

v.

§

§

§

WELLS FARGO BANK, N.A.

§

§

§

Defendant.

§

§

ORDER

CAME ON FOR CONSIDERATION, *Plaintiffs' Unopposed Emergency Motion for Amendment to Preliminary Approval Order with Respect to Notice of the Settlement to the Class Members*, ECF 8 (the "Motion"). Having considered the Motion, the Court believes it has merit and is of the opinion that the Motion should be GRANTED. Therefore, it is ORDERED:

That the Motion is granted; it is further

ORDERED, that Paragraph 8 of the Preliminary Approval Order in Harlow, et al. v. Wells Fargo & Co., AP No. 20-07028 (Bankr. WDVA), Dkt. No. 126, is hereby amended by deleting the second sentence of paragraph 8 of that document and inserting the following as the second sentence of paragraph 8:

The Court finds that the form, content and mailing of the Claim form and Notice, substantially in the manner and form set forth in Sections II.C, V.A and B, and VI of the Settlement Agreement, and in Exhibits A and B, including printing and disseminating Notice of the Settlement by email (where available) by the Notice Deadline and by first class mail by August 5, 2024, to each individual on the Class List, meet the requirements of Rule 23 of the Federal Rules of Civil Procedure and due process.”

It is further ORDERED:

That current paragraph 9(a) of the Preliminary Approval Order is deleted and the following is inserted as paragraph 9(a) of that document:

No later than fifty (50) days from the entry of this Order (the “Notice Deadline”), the Settlement Administrator shall cause copies of the Notice, substantially in the form annexed as Exhibit B hereto, to be mailed by email if known by the Notice Deadline and by first class mail by August 5, 2024, to each individual on the Class List in accordance with their designated Subclass”

Entered: August 9, 2024

Robert S. Ballou

Robert S. Ballou
United States District Judge

PREPARED BY:

/s/ Theodore O. Bartholow, III (“Thad”)

Theodore O. Bartholow III (“Thad”)*

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** Admitted Pro Hac Vice*