

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

Jamie Todd, et al.,

Plaintiffs,

v.

Case No. 3:24-cv-615-wmc

Ashley Furniture Industries, LLC, et al.,

Defendants.

**UNOPPOSED MOTION TO AMEND SCHEDULE
FOR SETTLEMENT ADMINISTRATION**

Plaintiffs move this Court to amend the Settlement Administration Schedule (Dkt. 71-1, adopted at Dkt. 72) to: (a) require Class Counsel to move for attorney's fees and costs *earlier* than the current schedule dictates; (b) require the Settlement Administrator to give class members additional notice regarding that motion; and (c) allow a period of three (3) weeks for class members to submit objections to Class Counsel's motion, in advance of the final fairness hearing scheduled for September 24, 2026. Because Class Counsel is agreeing to file their motion for attorney's fees and costs earlier than originally planned, **the amendment sought in this unopposed motion will not require moving the final fairness hearing.** A proposed order reflecting the proposed modifications to the schedule (highlighted in yellow to facilitate the Court's review) is attached hereto as **Exhibit A**. A proposed form of notice for the Settlement Administrator to use in providing additional notice regarding Class Counsel's motion for attorney's fees and costs is attached hereto as **Exhibit B**.

As set forth in Exhibit A, the following deadlines would be modified in or added to the existing schedule:

- Deadline for Class Counsel to file Motion for Attorneys’ Fees, Costs and Class Representative Service Payment –August 18, 2026;¹
- Settlement Administrator to Update the Settlement Website with Class Counsel’s Motion for Attorneys’ Fees, Costs and commence Email Notice to Class Members regarding the same – August 27, 2026; and
- Deadline for Class Members to Object to Class Counsel’s Motion for Attorneys’ Fees and Costs or Exclude themselves from the Settlement – September 16, 2026; and
- Deadline for Settlement Administrator to Provide Declaration Detailing Distribution of Class Notice/Claims/Opt Outs/Objections – September 17, 2026.²

As noted above and set forth in the accompanying proposed order, this requested amendment would not affect other case deadlines or the timing of the final fairness hearing. Rather, the purpose is to allow notice of Class Counsel’s motion for attorneys’ fees and costs to be “directed to class members in a reasonable manner” (through an additional round of email notice) and to allow class members time to “object to the motions” with the benefit of the information provided by Class Counsel in support of their motion. Fed. R. Civ. P. 23(h)(1), (2). As the Court is aware, the parties’ Settlement Agreement contemplates that Class Counsel may seek up to \$3 million in attorney’s fees and costs (*see* Dkt. 65-1 § 3.3.3), and this intention was reiterated in both Plaintiffs’ Motion for Preliminary Approval (Dkt. 65, at 23) and the Court’s Preliminary Approval Order (Dkt. 70, at 15); so, class members have long been aware that Class Counsel intends to seek this amount. However, this proposed amendment to the schedule facilitating additional notice will allow class members to further “analyze the [fee] petition after it

¹ This deadline is currently set for September 3, 2026.

² This deadline is currently set for September 10, 2026.

[is] filed and submit a response.” *In re Tiktok, Inc., Consumer Priv. Litig.*, 617 F. Supp. 3d 904, 930 (N.D. Ill. 2022) (concluding that a schedule allowing two weeks for class members to object to a fee petition was acceptable under Seventh Circuit precedent).

Defendants do not oppose this motion.

WHEREFORE, Plaintiffs respectfully request that the Court enter the proposed order attached hereto as Exhibit A, including by approving the form of notice attached hereto as Exhibit B.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 12, 2026, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will serve a Notice of Electronic Filing generated by CM/ECF on all counsel of record.

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