

**IN THE CIRCUIT COURT FOR THE TENTH JUDICIAL CIRCUIT
TAZEWELL COUNTY, ILLINOIS**

ANTHONY SCOTT PRUITT and)	
AUDREY PRUITT, individually and on)	
behalf of all others similarly situated,)	Case No. 2020-L-000003
)	
Plaintiffs,)	FILED
)	November 9, 2022
v.)	TAZEWELL COUNTY CIRCUIT CLERK
)	TENTH JUDICIAL CIRCUIT OF ILLINOIS
)	
PAR-A-DICE HOTEL CASINO,)	
BOYD GAMING CORPORATION, and any)	
and all other affiliated or subsidiary entities.)	
)	
Defendants.)	

PRELIMINARY APPROVAL ORDER

This matter having come before the Court on Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement (the “Motion”), the Court having reviewed in detail and considered the Motion, the Settlement Agreement and Release (“Settlement Agreement”) between Anthony Scott Pruitt and Audrey Pruitt (“Plaintiffs”) and Par-A-Dice Hotel Casino and Boyd Gaming Corporation (“Defendants”) (and, together, the “Parties”), and all other papers that have been filed with the Court related to the Settlement Agreement, including all exhibits and attachments to the Motion and the Settlement Agreement, and the Court being fully advised in the premises,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Capitalized terms used in this Order that are not otherwise defined herein have the same meaning assigned to them as in the Settlement Agreement.
2. The terms of the Settlement Agreement are preliminarily approved as fair, reasonable, and adequate. There is good cause to find that the Settlement Agreement was

negotiated at arms-length between the Parties, who were represented by experienced counsel.

3. For settlement purposes only, the Court finds that the prerequisites to class action treatment under Section 2-801 of the Illinois Code of Civil Procedure – including numerosity, commonality and predominance, adequacy, and appropriateness of class treatment of these claims – have been preliminarily satisfied.

4. The Court hereby conditionally certifies, pursuant to Section 2-801 of the Illinois Code of Civil Procedure, and for the purposes of settlement only, the following Settlement Class consisting of:

All individuals who visited Par-a-Dice Hotel Casino’s Sportsbook between September 2020 and June 2021 and whose face appeared visible to a security camera enabled with Appearance Search.

5. For settlement purposes only, the Court appoints Plaintiffs Anthony Scott Pruitt and Audrey Pruitt as Class Representatives.

6. For settlement purposes only, the Court appoints Ryan F. Stephan and Catherine T. Mitchell of Stephan Zouras, LLP as Class Counsel.

7. The Court appoints JND Legal Administration as the Settlement Administrator. The Settlement Administrator is vested with authority to confirm Class List data from Defendants and to carry out the Notice process, as set forth in the Settlement Agreement.

8. The Court approves the Class Notice attached as Exhibit A, B and D to the Settlement Agreement and orders its distribution to Settlement Class Members as described in the Settlement Agreement. The Class Notice and the methods of distribution satisfy due process, the requirements of Section 2-803 of the Illinois Code of Civil Procedure and constitute the best notice practicable under the circumstances.

9. A “Final Approval Hearing” shall be held before the Court on

February 8, 2023 at 9:00 a.m./p.m. in Room 101 via Zoom (Meeting ID: ***, Password: ***), or at such other time or location as the Court may direct without further notice to consider, among other things: (1) whether to finally approve the Settlement; (2) whether to approve Class Counsel's request for attorneys' fees and litigation expenses; and (3) whether to approve settlement administration costs.

10. At least seven (7) days prior to the Final Approval Hearing, Class Counsel shall file a motion for final approval of the settlement, as well as a petition for attorneys' fees in the amount of \$288,750.00, or 35% of the gross Settlement Fund, and out-of-pocket litigation costs of up to \$15,00.00, settlement administration expenses of up to \$100,000.00, and a Service Award for each Class Representative in the amount of \$7,500.00.


11. The Final Approval Hearing may be postponed, adjourned, transferred, or continued by order of the Court without further notice to the Settlement Class Members. At or following the Final Approval Hearing, the Court may enter a judgment approving the Settlement Agreement and a Final Approval Order in accordance with the Settlement Agreement that adjudicates the rights of all participating Settlement Class Members.

12. Settlement Class Members do not need to appear at the Final Approval Hearing or take any other action to indicate their approval.

13. At the Final Approval Hearing, the Court will consider, among other things, (1) whether to finally approve the Settlement; (2) whether to approve Class Counsel's request for attorneys' fees and litigation expenses; (3) whether to approve settlement administration costs, and (4) whether to approve the Class Representatives' request for a Service Award.

IT IS SO ORDERED.

ENTERED: 11/9/2022


Hon. Judge Paul E. Bauer