

The Order of the Court is stated below:

Dated: August 22, 2023  
10:08:39 AM

/s/ MARK KOURIS  
District Court Judge



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ATTORNEYS FOR PLAINTIFF AND PROPOSED  
CLASS COUNSEL

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**IN THE THIRD JUDICIAL DISTRICT FOR  
SALT LAKE COUNTY, STATE OF UTAH**

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MARJORIE CURTIS, an individual, and on  
behalf of others similarly situated,

Plaintiff,

v.

CITYWIDE HOME LOANS, LLC, a Utah  
limited liability company,

Defendant.

**FINAL APPROVAL ORDER**

Civil No. 210905370

Judge Mark Kouris

WHEREAS, Plaintiff Class Representative, Marjorie Curtis, and Defendant Citywide Home Loans, LLC, by their respective counsel, entered into the Class Action Settlement Agreement (“Settlement”);

WHEREAS, Plaintiff and Defendant applied, pursuant to URCP Rule 23(e), for an order preliminarily approving the proposed Settlement and preliminarily approving the form and plan of notice and distribution as set forth in the Settlement;

WHEREAS, on May 11, 2023, the Court entered an order preliminarily approving the

Settlement, certifying the Settlement Class, approving the forms of notice of the Settlement to members of the Settlement Class, directing that appropriate notice of the Settlement be given to members of the Settlement Class, and scheduling a hearing on final approval (the “Preliminary Approval Order”);

WHEREAS, in accordance with the Settlement and the Preliminary Approval Order: (1) Class Counsel caused notice of the class action settlement to be emailed or mailed by United States First Class Mail to all known members of the Settlement Class; and (2) the affidavit of notice filed with this Court by Class Counsel demonstrates compliance with the Preliminary Approval Order with respect to the emailed and mailed notice and, further, that the best notice practicable under the circumstances was, in fact, given;

WHEREAS, Class Counsel filed with the Court a listing of the names of those persons who submitted valid requests for exclusion from the Settlement Class, if any;

WHEREAS, on August 25, 2023, this Court held a hearing on whether the Settlement is fair, reasonable, adequate, and in the best interests of the Class (the “Final Approval Hearing”); and

**THEREFORE**, based upon the foregoing, having heard the statements of Class Counsel and Counsel for Defendant, and of such persons as chose to appear at the Final Approval Hearing, if any; having considered all of the files, records, and proceedings in the lawsuit, the benefits to the Class Members under the Settlement, and the risks, complexity, expense, and probable duration of further litigation; and being fully advised in the premises;

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. Terms capitalized herein and not otherwise defined shall have the meanings ascribed to them in the Settlement.
2. This Court has jurisdiction over the subject matter of this lawsuit and jurisdiction

over the Class Representative, Class Members, and Defendant in this case (the “Parties”).

3. The Court hereby adopts and reaffirms the findings and conclusions set forth in the Preliminary Approval Order.

4. The Class Representative and Class Counsel fairly and adequately represented the interests of the Class Members in connection with the Settlement.

5. The Settlement is the product of good faith, arm’s-length negotiations by the Parties and their counsel, and the Class Members and Defendant were represented by capable and experienced counsel.

6. The form, content, and method of dissemination of the notice given to members of the Settlement Class—individual emailed or mailed notice—were adequate and reasonable, constituted the best notice practicable under the circumstances, and satisfied the requirements of Due Process.

7. The Settlement is fair, reasonable, and adequate, and in the best interests of the Class, and is approved in all respects. The Court hereby directs the Class Representative, the Class Members, Class Counsel, Defendant, and Defendant’s counsel to effectuate the Settlement according to its terms.

8. The Settlement provides for certain benefits to Class Members. The Court approves those benefits and approves the distribution plan for those benefits as set forth in the Settlement, and the Parties are authorized and directed to implement that distribution.

9. The Court addresses the request for approval of attorneys’ fees, expenses, and a service award in connection with the final approval of the Settlement by separate order.

10. As of the Effective Date, the Class Releasers shall be deemed to have fully and irrevocably released and forever discharged Class Releasees from, related to, or in any way involving the Class Released Claims. Class Representative and all Class Members further waive

all provisions, rights, and benefits conferred (a) by Section 1542 of the Civil Code of the State of California, and (b) by any law of any and all equivalent, similar, or comparable federal or state rules, regulations, laws, or principles of law of any other jurisdiction that may be applicable.

11. As of the Effective Date, Defendant shall be deemed to have fully and irrevocably released and forever discharged the Class Representative and Class Counsel from all rights, claims, damages, and liabilities relating to the filing and prosecution of the Action. Defendant's release of Plaintiff does not in any way change or discharge any financial or contractual obligations that are unrelated to the facts alleged in the Action.

12. This Order is a final judgment because it disposes of all claims against all Parties to this lawsuit. The Court retains jurisdiction over the Settlement, the Parties to the Settlement, and all matters relating to the administration and enforcement of the Settlement.

**\*\*\*\*\* THIS ORDER IS EFFECTIVE UPON THE COURT'S ELECTRONIC SIGNATURE AND ENTRY AS NOTED ON THE TOP OF THE FIRST PAGE. \*\*\*\*\***

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 11th day of August, 2023, a true and correct copy of the foregoing **FINAL APPROVAL ORDER** was filed using the Court's e-filing system, which delivered a copy to all counsel of record:

/s/ Jason R. Hull