

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

MARK PREMAN, on behalf of himself  
and all others similarly situated,

CASE NO.: 6:16-cv-443-ORL-41-GJK

Plaintiff,

v.

POLLO OPERATIONS, INC.,

Defendant,

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**PLAINTIFF’S UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF  
REVISED CLASS ACTION SETTLEMENT AND  
CERTIFICATION OF SETTLEMENT CLASS**

Pursuant to Federal Rule of Civil Procedure 23(e), Plaintiff, Mark Preman, hereby moves the Court for an Order Preliminarily Approving the Revised Class Action Settlement and Certifying the Settlement Class. Plaintiff’s Unopposed Motion seeks an order:

1. scheduling a Preliminary Settlement Approval Hearing before the Court to determine whether the proposed Settlement should be preliminarily approved, and whether the proposed Settlement Class should be certified;
2. approving The Angeion Group as the Settlement Administrator and directing that notice of the Settlement be provided to the Settlement Class in the proposed form and manner;
3. requiring objections, if any, to (a) the Settlement, (b) the plan of distribution, (c) an application seeking a service award to the Class Representative, and/or (d) an application for an award of attorneys’ fees, costs and expenses to Class Counsel to be

submitted no later than 45 days before the date set for the Final Settlement Approval Hearing;

4. requiring any application by Class Counsel for attorneys' fees, costs and expenses to be filed and served no later than ten (10) business days prior to the Final Settlement Approval Hearing; and
5. scheduling a Final Settlement Approval Hearing before the Court to determine whether the proposed Settlement, a motion seeking a service award to Plaintiff, and/or a motion for attorneys' fees, costs and expenses to Class Counsel should be finally approved.

Plaintiff is concurrently submitting (a) Plaintiff's Memorandum in Support of his Unopposed Motion for Preliminary Approval of the Revised Class Action Settlement and Certification of Settlement Class and accompanying exhibits; (b) the Revised Stipulation and Agreement of Settlement; (c) Proposed Final Judgment and Order of Dismissal with Prejudice; (d) Proposed Order Preliminarily Approving Settlement and Certifying Settlement Class and Providing for Notice; (e) Postcard Notice of Settlement; (f) the Declaration of Plaintiff Mark Preman; (g) the Declaration of John A. Yanchunis; (h) Morgan & Morgan firm biography; (i) summary chart of recent TCPA class settlements; (j) the Declaration of Steven Weisbrot; (k) the Declaration of Brian Devery; (l) the Declaration of Jan Kostyun; (m) the Declaration of Jeff Hansen; and (n) the list of telephone numbers to be provided to the Settlement Administrator in connection with the Notice Plan.

Dated: November 15, 2017

Respectfully submitted,

**MORGAN & MORGAN  
COMPLEX LITIGATION GROUP**

*/s/ Jonathan B. Cohen*

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*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 15th day of November 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of this filing to all attorneys of record in this matter.

*/s/ Jonathan B. Cohen*

Jonathan B. Cohen