

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PAT CASON-MERENDA and
JEFFREY A. SUHRE on behalf of
themselves and others similarly situated,

Plaintiffs,

v.

VHS OF MICHIGAN, INC., d/b/a
DETROIT MEDICAL CENTER, et al

Defendant.

Case No. 2:06-cv-15601-GER-DAS

Hon. Gerald E. Rosen

**FINAL ORDER AND JUDGMENT AS TO
VHS OF MICHIGAN, INC., d/b/a DETROIT MEDICAL CENTER**

Upon consideration of Plaintiffs' Motion for Final Approval of Settlement with VHS of Michigan, Inc., d/b/a Detroit Medical Center (DMC"), and after hearing from the parties to this settlement at a hearing on January 27, 2016, it is hereby **ORDERED** as follows:

1. The Motion is **GRANTED**.
2. This Order incorporates by reference the definitions in the Class Settlement Agreement and Release ("Settlement Agreement") between DMC and the certified Class.
3. The Notice of Class Action Settlement ("Notice") has been given to the Class in the manner directed by the Preliminary Approval Order, proof of

mailing was provided by Class Counsel and filed with the Court, and full opportunity to be heard has been offered to all Parties, including all members of the Class. The form and manner of distributing the Notice constitutes the best notice practicable under the circumstances, as well as valid, due and sufficient notice to all persons entitled thereto and comply fully with the requirements of Federal Rule of Civil Procedure 23 and the due process requirements of the United States Constitution.

4. The Court finds that the settlement set forth in the Settlement Agreement between Plaintiffs Pat Cason-Merenda and Jeffrey A. Suhre, as representatives of a certified Class, and Defendant DMC, is fair, reasonable, and adequate and in the best interests of the Class, applying the seven-part test enunciated in *International Union v. General Motors Corp.*, 497 F.3d 615 (6th Cir. 2007), and it is hereby approved.

5. DMC shall pay the Settlement Amount of \$42 million to Keller Rohrback L.L.P.'s trust account (to be transferred to the Qualified Settlement Fund Account already established in this case) within 30 days after the expiration of the time for appeal of this Order and Judgment.

6. The Action and all claims included therein, as well as all the Released Claims (defined in the Settlement Agreement) are dismissed with prejudice as to all members of the Class against all Released Parties.

7. The Court approves the Plan of Allocation proposed by Class Counsel, whereby funds shall be distributed *pro rata* based on Relevant Earnings during the Class Period, except that a floor of \$15 shall be applied to the amount paid to any approved claimant. Relevant Earnings shall be those earnings resulting from work as a member of the Class, and not include any pay earned working in a non-class job.

8. The Court approves the two forms of Claims Form and the form of Notice of Claim proposed by Class Counsel, and approves processing the claims of all persons who previously made a claim to any settlement in this Action based on the information provided in their previously submitted and approved Claims Form.

9. Any order approving or modifying the Plan of Allocation or the application for attorney's fees and expenses shall not affect the finality of this Judgment.

10. The Court reserves exclusive and continuing jurisdiction over the Action for the purposes of (a) supervising the implementation, enforcement, construction, and interpretation of the Settlement Agreement and the Plan of Allocation; (b) hearing and determining any application by Class Counsel for an award of attorney's fees and expenses if such determination is not made at the final hearing; and (c) supervising the distribution of the Settlement Fund.

11. There is no reason for delay in the entry of this Judgment and immediate entry by the Clerk of the Court is expressly directed pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

Dated: January 27, 2016

s/Gerald E. Rosen
United States District Judge

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 27, 2016, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5135