

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (CINCINNATI)

THOMAS DWYER	:	Case No. 1:17-cv-00455-MRB
	:	
Individually and on behalf of all others similarly situated	:	Judge Michael R. Barrett
	:	
Plaintiff,	:	<u>ORDER GRANTING AMENDMENT OF</u>
	:	<u>PRELIMINARY APPROVAL OF CLASS</u>
vs.	:	<u>ACTION SETTLEMENT</u>
	:	
SNAP FITNESS, INC.	:	
	:	
Defendant.	:	
	:	

This matter comes before the Court on Plaintiff Thomas Dwyer’s (“Dwyer”) unopposed Motion for Amendment of Preliminary Approval of Class Action Settlement (“Motion”). The Court has reviewed the Motion, the Amendment to Settlement Agreement and Release dated May 9, 2019 (“Agreement”)¹ and entered into by Plaintiff Thomas Dwyer and Snap Fitness, Inc. (collectively, “Defendant” or “Snap Fitness”), and the revised class notice documents attached to the Motion, and finds that the Motion should be GRANTED.

NOW, THEREFORE, the Court hereby FINDS, CONCLUDES AND ORDERS:

1. The Court does hereby adopt and incorporate the Amendment to Settlement Agreement and Release, including its amended definition of “Club Enhancement Fee” and the amendment to the language of the claims release, and preliminarily and conditionally approves the Settlement Class pursuant to Rules 23(a) and 23(b)(3) as set forth in the Court’s March 20, 2019 Order Granting Preliminary Approval of Class Action Settlement.

¹ All capitalized terms used in this Order shall have the same meanings as set forth in the Agreement.

2. The Court approves, as to form and content, the amended forms of Class Notice attached to the Motion and incorporated into the Agreement.

3. All other aspects of the Court's March 20, 2019 Order Granting Preliminary Approval of Class Action Settlement remain unchanged and are incorporated by reference.

SO ORDERED:

s/Michael R. Barrett
Honorable Michael R. Barrett
United States District Judge