

24

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT  
DEPARTMENT

\_\_\_\_\_  
MICH KAREN PIERRE LOUIS, Individually and )  
On behalf of all others similarly situated )  
others similarly situated, )

Plaintiff, )

v. )

BAYADA HOME HEALTH CARE, INC., )  
DAVID BAIADA and J. MARK BAIADA, )  
Defendants. )

Case No. 1981CV 01957

**SECOND AMENDED ORDER PRELIMINARILY  
APPROVING SETTLEMENT AND PROVIDING NOTICE**

WHEREAS, a proposed class action is pending before the Court entitled *Pierre Louis v. Bayada Home Health Care Inc.*, Civil Action No. 1981CV01957 (the "Action" or the "Litigation");

WHEREAS, the Court previously received the Class Action Settlement Agreement and Release dated as of December 30, 2021 (the "Agreement"), by and between by the Plaintiff and the Defendants, and the Court previously reviewed the Agreement and its attached Exhibits;

WHEREAS, the parties having made application, pursuant to Rule 23 of the Massachusetts Rules of Civil Procedure, for an order preliminarily approving the settlement of this Litigation, in accordance with the Agreement which, together with the Exhibits annexed thereto, sets forth the terms and conditions for the proposed settlement of the Litigation and for dismissal of the Litigation with prejudice upon the terms and conditions set forth therein; and

WHEREAS, all defined terms contained herein shall have the same meanings as set forth in the Agreement;

WHEREAS, on January 19, 2022 the Court entered an Amended Preliminary Approval Order, which preliminarily approved the proposed class action settlement and set forth certain deadlines associated with effectuating notice to the Class Members and scheduled the Final Approval Hearing for April 20, 2022;

WHEREAS, the Parties have jointly requested this Court to reschedule the Preliminary Approval Hearing to provide additional time for the Notice Administrator to effectuate notice to the Class Members and to provide the Class Members with an opportunity to review the Notice and interpose any objections.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. This Order supersedes the Order Preliminarily Approving Settlement and Providing Notice entered by this Court on January 19, 2022 only with respect to rescheduling the Final Approval Hearing.

2. A hearing shall be held before this Court on June 13, 2022, at 2:00 p.m., in Courtroom No. 520 at Middlesex Superior Court, 200 Trade Center, Woburn, Massachusetts or by videoconference, to determine (a) whether the proposed settlement of the Litigation on the terms and conditions provided for in the Agreement is fair, reasonable, and adequate to the Settlement Class and should be approved by the Court; (b) whether a Final Judgment and Order of Dismissal with Prejudice as provided in the Agreement should be entered herein; and (c) whether Plaintiff's Counsel's Fee and Expense Application should be approved, and the amount of fees and expenses that should be awarded to Plaintiff's Counsel to be paid by Defendants as set forth in Paragraph 11 of the Agreement.

3. The Court approves the Parties' request to substitute Exhibit 1A to the Settlement Agreement which details the settlement amounts to the Class Members to the nearest cent.

4. The Parties shall notify all Class Members and, if any residual funds may remain, the Massachusetts IOLTA committee (Mass. R. Civ. P. 23(e)(3)), of the revised dates and deadlines, as well as the terms of the proposed settlement, as amended.

IT IS SO ORDERED.

Dated: March 30, 2022

/s/Douglas H. Wilkins  
Associate Justice, Superior Court