

**THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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MICHELLE HALL, on behalf of herself,  
individually and on behalf of all similarly  
situated individuals,

*Plaintiffs,*

v.

ADELPHIA THREE CORP. d/b/a/ PHILY  
DINER, PETRO KONTOS, WILLIAM BALIS,  
*Defendants.*

Civil No. 1:21-cv-01106-CPO-SAK

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**ORDER GRANTING FINAL APPROVAL OF  
CLASS/COLLECTION ACTION SETTLEMENT**

AND NOW, this 4th day of January, 2024, upon consideration of Plaintiffs' Unopposed Motion for Final Settlement Approval, Attorneys' Fees and Expenses, Service Award, and Settlement Administration Costs, and all attachments thereto, the presentations of counsel during the Final Approval hearing, and all other papers and proceedings herein, it is hereby **ORDERED** that:

1. The Motion is **GRANTED in part**. The Joint Stipulation of Settlement and Release Agreement (ECF No. 76-3) is approved, except that the Court strikes the provision of the Settlement (§ 5.4) for the general release of Plaintiff's claims.

2. The settlement of this class/collective action, as set forth in the Joint Stipulation of Settlement and Release Agreement filed with the Court (Doc. 76-3), is **APPROVED**.

3. The Court **APPROVES** the requested service award of \$10,000 to the named Plaintiff in recognition of her role in initiating the lawsuit and diligently pursuing their legal claims on behalf of the Settlement Class/Collective. This award falls within the range of service awards

approved in other wage/overtime class/collective action lawsuits.

4. With respect to the funds payable to members of the Settlement Class/Collective, the Court finds that the factors described in *Girsh v. Jepsen*, 521 F.2d 153 (3d Cir. 1975), *In re Prudential Ins. Co. Am. Sales Practice, Litig.*, 148 F.3d 283 (3d Cir. 1998), and *In re Baby Prods. Antitrust Litig.*, 708 F.3d 163 (3d Cir. 2013), weigh in favor of approval of the settlement.

5. The Court **APPROVES**, pursuant to Federal Rule of Civil Procedure 23(h), the requested payment of attorney's fees to McOmber McOmber & Luber, P.C. in the amount of \$300,000, as well as \$18,861.46 in litigation expenses.

6. The Court **APPROVES** the payment of the costs of notice and administration to Angeion Group LLC not to exceed a total \$30,000, inclusive of monies already paid by Class Counsel.

7. This Action is **DISMISSED WITH PREJUDICE**, although the Court will retain jurisdiction over the interpretation, enforcement, and implementation of the Settlement Agreement.

Dated: 1/4/24

  
Hon. Christine P. O'Hearn