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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Baerbel McKinney-Drobnis, Joseph B.
Piccola, and Camille Berlese, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

Massage Envy Franchising, LLC, a Delaware
Limited Liability Company,

Defendant.

CASE NO. 3:16-CV-6450-MMC (KAW)

**~~PROPOSED~~ FINAL JUDGMENT AND
DISMISSAL**

Courtroom: 7 – 19th Floor
Judge: Hon. Maxine M. Chesney

1
2 **ORDER OF FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

3 The Court hereby enters final judgment in this action as between Plaintiffs Baerbel
4 McKinney-Drobnis, Camille Berlese, and Joseph Piccola (the “CLASS REPRESENTATIVES “
5 and the CLASS and Defendant Massage Envy Franchising, LLC (“MEF”), as defined in Federal
6 Rule of Civil Procedure 58(a), pursuant to this Final Judgment


- 7 1. On March 2, 2020, this Court entered its Order [Dkt. 146] finally approving the
8 class action settlement set forth in the Stipulation of Class Action Settlement and
9 Release (the “AGREEMENT”) finding that the SETTLEMENT is fair, adequate,
10 and reasonable, free of collusion or indicia of unfairness, and within the range of
11 likely judicial approval. The Court also certified the CLASS pursuant to Rule
12 23(e) of the Federal Rules of Civil Procedure. The capitalized terms used in this
13 Final Judgment shall have the meanings and/or definitions given to them in the
14 AGREEMENT unless specified herein to the contrary.
- 15 2. All RELEASED CLAIMS of CLASS REPRESENTATIVES and the CLASS are
16 hereby released as against MEF and all other RELEASED PARTIES as defined in
17 the AGREEMENT.
- 18 3. The Court finds that the CLASS MEMBERS who have exercised their right to
19 exclude themselves from this Action, by submitting timely requests for exclusion
20 pursuant to the notice provided to the CLASS, are not included in or bound by this
21 Order and Final Judgment. The excluded CLASS MEMBERS are listed in Exhibit
22 1 to the Order on Class Representatives’ Motion for Final Approval of Class
23 Settlement [ECF No. 146-1].
- 24 4. Without affecting the finality of the Court’s judgment in any way, the Court
25 retains jurisdiction over this matter for purposes of resolving issues relating to the
26 interpretation, administration, implementation, effectuation, and enforcement of
27 the SETTLEMENT.
- 28 5. The Parties and the SETTLEMENT ADMINISTRATOR are hereby ordered to

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comply with the terms of the SETTLEMENT.

6. This action is dismissed with prejudice as against MEF, each side to bear its own costs and attorneys' fees except as provided by the SETTLEMENT and the Order on CLASS REPRESENTATIVES' Motion for Final Approval of Class Settlement [ECF No. 146-1].
7. This document constitutes a final judgment and separate document for purposes of Federal Rule of Civil Procedure 58(a).
8. The Court finds, pursuant to Rules 58(a) and (b) of the Federal Rules of Civil Procedure, that this Final Judgment should be entered and that there is no just reason for delay in the entry of this Final Judgment as to CLASS REPRESENTATIVES and the CLASS and MEF.

DATED: March 20, 2020


MAXINE M. CHESNEY
United States District Judge