

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

IREDELL COUNTY

SUPERIOR COURT DIVISION

CASE NO.: 12-CVS-642

FILED
2018 JUL -6 PM 4:44
IREDELL COUNTY, C.S.C.
PL
BY _____

PORTFOLIO RECOVERY ASSOCIATES,)
LLC,)

Plaintiff,)

v.)

CAROLINE L. HOUSTON,)

Defendant.)

CAROLINE L. HOUSTON,)
on behalf of herself and all others similarly)
situated,)

Counterclaimant,)

v.)

PORTFOLIO RECOVERY ASSOCIATES,)
LLC,)

Defendant to Counterclaim.)

**MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT
AND ENTRY OF FINAL JUDGMENT; REPORT ON CLASS NOTICE**

Class representative Caroline L. Houston, by and through undersigned counsel, submits the attached list of class members who have submitted valid opt-out requests and respectfully moves for final approval of the class action settlement and entry of final judgment, and shows as follows:

1. On January 16, 2018, this Court entered an Order granting preliminary approval to the settlement of this class action. The Preliminary Approval Order also granted preliminary certification of the class, granted approval of the proposed form of class notice and found that the

proposed notice program complied with due process and Rule 23 of the North Carolina Rules of Civil Procedure, set various deadlines including for the filing of class counsel's motion for attorney's fees, and scheduled the hearing to consider the final approval of the settlement.

2. The Preliminary Approval Order requires that a list of the names and addresses of class members who have submitted a valid request for exclusion be filed with the Court at least 14 days prior to the final approval hearing. Class counsel hereby attaches the settlement administrator's list of "Timely Opt-Outs Received" as Exhibit 1 to this motion.

3. Pursuant to the Preliminary Approval Order, class counsel previously filed a Motion for Attorneys' Fees, Expenses, and Class Representative Awards on March 1, 2018.

4. The final approval hearing for the settlement will be held before Special Superior Court Judge Richard Doughton at 10:00 a.m. on July 20, 2018 at the Iredell County Superior Court in Statesville, North Carolina.

5. Ms. Houston hereby moves the Court, pursuant to Rule 23 of the North Carolina Rules of Civil Procedure, for the following relief:

- a. That the class settlement that was preliminarily approved by this Court by Order dated January 16, 2018, be finally approved at the July 20 hearing as fair, adequate, and reasonable;
- b. That the Court grant final certification of the class;
- c. That the Court grant the requested attorneys' fees, expenses, and class representative award as reasonable and appropriate; and
- d. That the Court enter final judgment.


6. In support of this motion, Ms. Houston relies on her Brief in Support of Final Approval of Class Action Settlement and Entry of Final Judgment as well as related materials

that may be submitted in advance of the Final Approval Hearing; the Motion for Preliminary Approval of the Settlement; the Motion for Attorneys' Fees, Expenses, and Class Representative Award and supporting brief and exhibits; matters addressed at oral argument at the Final Approval Hearing on July 20, 2018; all papers and records on file in this matter; and such other matters as the Court may consider.

WHEREFORE, Ms. Houston prays that the Court enter the requested Final Approval Order and enter Final Judgment.

Respectfully submitted, this the 6th day of July, 2018.

CLASS COUNSEL:


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 6, 2018, a true and correct copy of the foregoing *Motion for Approval of Class Action Settlement and Entry of Final Judgment; Report on Class Notice*, was served upon counsel of record for Plaintiff/Counterclaim-Defendant, Portfolio Recovery Associates, LLC, by electronic transmission and U.S. Mail, postage prepaid, addressed as follows:

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Counsel for Plaintiff Portfolio Recovery Associates, LLC

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Respectfully submitted,

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Class Counsel

EXHIBIT 1



Tracking Number	First Name	Last Name	Address 1	Address 2	City	State	Zipcode	Document ID (Internal ID Number)	Postmark
14833	GINGER	TREXLER	1183 EDGEFIELD DR		SALISBURY	NC	281468663	900000001	3/16/2018
26117	MARY	SMITH	698 STRICKLAND RD		LOUISBURG	NC	275497638	900000002	3/14/2018
9664	MARIA	HERNANDEZ	711 BENNETT ST		SANFORD	NC	273303501	900000003	3/16/2018
22693	DEBORAH	POWLES	4705 PLEASANT GROVE RD		WAXHAW	NC	281738133	900000005	3/17/2018
23812	RUTH	MULLARD	4212 LABRADOR DR		RALEIGH	NC	276169746	900000006	3/27/2018
458	DIANE	HOPGOOD	6689 ELM HILL DR		CLEMMONS	NC	270127829	900000007	4/19/2018
472	PAUL	HOPGOOD	6689 ELM HILL DR		CLEMMONS	NC	270127829	900000008	4/19/2018
17266	ANGELA	BELL	535 BEAVER DAM RD		LIBERTY	NC	272989147	900000009	4/20/2018
12558	KATHLENA	HARRISON	2 SUMMERTREE LOOP	APT D	GREENSBORO	NC	274065611	900000010	4/20/2018
12464	TRACY	COLE	3453 ANITA GLEN DR		GREENSBORO	NC	274059763	900000011	4/19/2018
11246	SHARI	SPECTOR	12636 SABAL PARK DR	APT 306	PINEVILLE	NC	281347512	900000012	4/20/2018
5814	KEITH	THOMAS	9014 RIDGE HILL DR		KERNERSVILLE	NC	272849016	900000013	4/19/2018
8115	ROXANNE	HOLLINGSWORTH	533 OAKDALE CHURCH RD		FAIRMONT	NC	283406733	900000014	4/20/2018
437	KAROUNA	ARPHAI	1015 CAYLEY CT		HIGH POINT	NC	272603420	900000015	4/20/2018
1718	DANIELLE	FLORES	124 OLD CABIN RD		CASCADE	VA	240692468	900000016	4/20/2018
7426	NEIL	DAKAKE	1664 HAVERSHAM PARK DR		WINSTON SALEM	NC	271277296	900000017	4/20/2018
17032	CARLOS	FLORES	657B BETHANIA RURAL HALL RD		RURAL HALL	NC	270459282	900000018	4/20/2018
22717	BRANISLAV	TRIFUNOVIC	2204 MEADOWLARK RD		HIGH POINT	NC	272651435	900000019	4/20/2018
12411	ERIC	GERHARDT	433 BRICKTONE DR		BLACKLICK	OH	430049224	900000020	4/19/2018
4139	ERENDIRA	GONZALEZ	504 CRESTVIEW DR		DURHAM	NC	277122346	900000022	4/21/2018
567	CHRISTOPHER	TEDDER	397 ARMSWORTHY RD		ADVANCE	NC	270067842	900000023	4/21/2018
18379	VINCENT	HARRIS	706 OLDSQUAW DR		GREENSBORO	NC	274553061	900000024	4/21/2018
26678	TERESA	HARRIS	706 OLDSQUARE DR		GREENSBORO	NC	27455	900000025	4/21/2018
3047	JOSHUA	BRIGHT	337 WATER LILY CIR		WINSTON SALEM	NC	271076048	900000026	4/21/2018
11018	CARISSA	BRIGHT	337 WATER LILY CIR		WINSTON SALEM	NC	271076048	900000027	4/21/2018
15834	DWIGHT	FORD	5741 WELLS RD		HAMPTONVILLE	NC	270207865	900000028	4/23/2018
4104	NIKEA	LONG	2707 FOUR SEASONS BLVD	APT F	GREENSBORO	NC	274076061	900000030	4/23/2018
6034	PIA	TOWNES	1640 CRAWFORD DR		CHARLOTTE	NC	282163505	900000032	4/20/2018
4178	JIMMY	WHITEHURST	511 W HOWARD AVE		TARBORO	NC	278862931	900000033	4/19/2018
7187	BRANDIE	HOLT	11474 VILLAGE SQUARE DR		MIDDLESEX	NC	275577423	900000034	4/21/2018