

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**ROBERTO RAMIREZ, et al.**

**v.**

**J.C. PENNEY CORPORATION, INC., et  
al.**

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**CIVIL ACTION NO. 6:14cv601**

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement, Certification of Settlement Class and Approval of Plan of Allocation (Docket No. 80), has been presented for consideration. The Report and Recommendation (Docket No. 85) recommends that the motion be granted and that the Court enter the Final Approval Order submitted by the parties. No objections were filed. The parties did, however, file a Joint Notice on December 7, 2017, clarifying the number of named plaintiffs to receive a case contribution award and stating that there are no objections.<sup>1</sup> In their notice, the parties requested that the Court adopt the Report and Recommendation but reflect in its order that each of the two named plaintiffs should receive a case contribution award of \$5,000, for a total of \$10,000. The parties' request is hereby **GRANTED**, and the Court **ADOPTS** the findings and conclusions of the Magistrate Judge as those of the Court. In light of the foregoing, it is

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<sup>1</sup> There are two named plaintiffs entitled to receive a case contribution award—Roberto Ramirez and Thomas Ihle—instead of six as mistakenly stated in the briefing and the Report and Recommendation.

**ORDERED** that Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement, Certification of Settlement Class and Approval of Plan of Allocation (Docket No. 80) is **GRANTED**.

The Court will enter the Final Approval Order and Plan of Allocation separately.

**SIGNED this 18th day of December, 2017.**



ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE