

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

**CHINA HARRIS and CYNTHIA
MOLETTE, individually and on behalf
of all others similarly situated,**

Plaintiffs,

v.

**UNITED CEREBRAL PALSY SEGUIN
OF GREATER CHICAGO,**

Defendant.

Civil Action No. 1:25-cv-12350

**ORDER GRANTING PLAINTIFF’S UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF THE SETTLEMENT AGREEMENT**

AND NOW, this 5th day of November, 2025, upon consideration of Plaintiffs’ Unopposed Motion and Memorandum in Support for Preliminary Approval of the Settlement Agreement, the Court grants Plaintiffs’ Motion and ORDERS as follows:

WHEREAS, Plaintiffs China Harris and Cynthia Molette (“Plaintiffs”) and Defendant United Cerebral Palsy Seguin of Greater Chicago (“Defendant”), entered into a Settlement Agreement which, together with the Exhibits annexed thereto (the “Settlement” or “Settlement Agreement”), sets forth the terms and conditions for a proposed class and collective action settlement of the above-captioned matter (the “Lawsuit” or “Action”) and for the Action’s dismissal with prejudice upon the terms and conditions set forth therein;

WHEREAS, Plaintiffs and Defendant are collectively referred to as the “Parties”;

WHEREAS, the Settlement is the product of informed, arm’s-length negotiations over an extended period of time, and was achieved only after mediation and continued settlement negotiations between the Parties overseen by an experienced mediator, Dennis Clifford, Esq.;

WHEREAS, Plaintiffs filed an Unopposed Motion and Memorandum in Support of Preliminary Approval of Settlement Agreement (the “Motion”) seeking an order: (i) provisionally certifying the Settlement Class as a collective action pursuant to 29 U.S.C. § 216(b) and as a class action pursuant to FED. R. CIV. P. 23(a) and (b)(3) for the sole purpose of settlement; (ii) preliminarily approving the Settlement Agreement and its terms; (iii) approving the proposed form of the Settlement Notice; (iv) establishing a date for Plaintiffs’ Motion for Approval of Attorneys’ Fees and Costs and Motion for Final Approval of the Settlement; (v) approving the Settlement Administrator, Apex Class Action; and (vi) establishing a date for the Final Approval Hearing;

WHEREAS, Defendant denies the allegations in the Complaint and denies that it has failed to pay employees for all hours worked or properly calculate overtime rates of any Settlement Class Member or any other person who worked for Defendant. However, for purposes of satisfying the settlement between the Parties, Defendant does not oppose Plaintiffs’ Motion;

WHEREAS, unless otherwise specified, all capitalized terms used herein have the same meanings as set forth in the Settlement Agreement;

NOW THEREFORE, it is hereby ORDERED and ADJUDGED as follows:

1. The Parties’ Settlement Agreement is preliminarily approved as fair, reasonable, and adequate pursuant to FED. R. CIV. P. 23(e), and as a fair and reasonable resolution of a *bona fide* dispute under the Fair Labor Standards Act.

2. For settlement purposes, the Court conditionally certifies the following class as a collective action pursuant to 29 U.S.C. § 216(b), finding the members to be similarly situated for purposes of settlement, and as a class action pursuant to FED. R. CIV. P. 23(a) and (b)(3), pending final approval of the Settlement Agreement:

[A]ll current and former non-exempt employees of UCP Seguin who worked in Illinois as Extended Support Specialists over 144 hours in any 2-week pay period

between May 23, 2021 and December 31, 2023, and who were paid a salary and not paid overtime at a rate of one-and-one-half times their “regular hourly rate” for all hours worked over forty (40) in a workweek (“Settlement Class”).

3. In support thereof, the Court provisionally finds as follows:

a. The number of Settlement Class Members (139) is too numerous for joinder to be practicable;

b. There are questions of law and fact common to each Settlement Class Member that predominate over individualized questions for settlement purposes. Those common issues include: (1) whether Settlement Class Members were subject to practices and policies resulting in unpaid overtime; and (2) whether Defendants acted in good faith.

c. Plaintiffs’ claims are typical of the claims of the Settlement Class Members they seek to represent for purposes of the Settlement;

d. Plaintiffs and Class Counsel have fairly and adequately represented the interests of the Settlement Class and will continue to do so;

e. A class action provides a fair and efficient method for settling the controversy under the criteria set forth in Rule 23 of the Federal Rules of Civil Procedure; and

f. because the Action is being settled rather than litigated, the Court need not consider manageability issues that might otherwise be presented by the trial of a class action involving the issues in the Action.

4. Plaintiffs China Harris and Cynthia Molette are preliminarily appointed as representatives of the Settlement Class.

5. Berger Montague PC is preliminarily appointed as Class Counsel on behalf of the Settlement Class.

6. Apex Class Action is appointed as the Settlement Administrator and shall perform all duties and tasks assigned to the Settlement Administrator in the Settlement Agreement. The costs of Settlement Notice and Settlement Administration that were submitted to the Court are preliminarily approved.

7. The Settlement Notice, attached as Exhibit A to the Settlement Agreement, is approved and shall be distributed by the Settlement Administrator pursuant to the terms of the Settlement Agreement.

8. The following schedule and procedures for completing the settlement approval process as set forth in the Parties' Settlement Agreement are hereby approved:

Defendant to send CAFA Notice.	Within ten (10) days after the submission of the Settlement Agreement to the Court.
Defendant to provide Settlement Administrator the contact information of each Settlement Class Member previously identified by the Parties.	Within ten (10) business days after the Court's Preliminary Approval of the Settlement.
Defendant to electronically transfer the Gross Settlement Amount to the Settlement Administrator.	Within fourteen (14) business days of the Court's Preliminary Approval of the Settlement.
Settlement Administrator to mail and email (if email addresses are available) the Settlement Notice to Settlement Class Members.	Within five (5) days after receiving the contact information for the Settlement Class.
Deadline to postmark objections or requests for exclusion.	Forty-five (45) days after the Settlement Notices are initially mailed by the Settlement Administrator to the Settlement Class (Notice Deadline).
Plaintiffs' Motion for Approval of Attorneys' Fees and Costs.	Due fourteen (14) days prior to the Notice Deadline.
Settlement Administrator to provide to Class Counsel and Defendant's Counsel a total number of Settlement Class Members who filed timely and valid requests for exclusions from the Settlement.	Within five (5) business days after the Notice Deadline.

Plaintiffs' Motion for Final Approval.	January 14, 2026
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9. The Final Approval Hearing is hereby set for January 28, 2026 at 11:00 AM, in Courtroom 1919, U.S. Courthouse, 219 S. Dearborn St., Suite 500, Chicago, Illinois, 60604.

10. Pending further order of the Court, all litigation activity and events except those contemplated by this Order or in the Settlement Agreement, are stayed, and all hearings, deadlines, and other proceedings in the Litigation, except the Final Approval Hearing and the matters set forth in this Order, are vacated.

BY THE COURT:

Dated: November 5, 2025



Honorable Manish S. Shah
United States District Judge