

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ELENA BOTTS,

*

Plaintiff,

*

v.

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Civil Case 1:20-cv-01335-JRR

THE JOHNS HOPKINS UNIVERSITY,

*

Defendants.

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ORDER

This matter comes before the Court on Plaintiff’s Motion for Final Approval of Class Settlement and Motion for an Award of Attorneys’ Fees and Litigation Costs and for a Service Award (ECF Nos. 91 and 90, respectively.) The court held a fairness hearing on Monday, April 17, 2023, in accordance with Fed. R. Civ. P. 23(e)(2). No objector or person other than counsel of record appeared. In accordance with, and for the reasons set forth in the court’s oral ruling on the record, delivered April 20, 2023, it is

ORDERED that the Motion for Final Approval of Class Settlement (ECF No. 91) shall be, and is hereby, **GRANTED**, and the Settlement Agreement at ECF No. 85-2 is **APPROVED** pursuant to Rule 23(e) of the Federal Rules of Civil Procedure as fair, reasonable, and adequate and in the best interests of the Settlement Class; and further it is

ORDERED that the Motion for an Award of Attorneys’ Fees and Litigation Costs and for a Service Award (ECF No. 90) shall be, and is hereby, **GRANTED** and the following payments shall be made in accordance with the Settlement Agreement: \$2,200,000.00 in attorneys’ fees and costs to Plaintiff’s counsel; and \$12,500.00 as a service award to Plaintiff Elena Botts.

In accordance with the parties' express request, for the reasons articulated on the record at the Fairness Hearing held April 17, 2023, and as set forth in the Motion for Final Approval of Class Settlement at section IX, pp. 15-16 (ECF No. 91-1), this case **SHALL NOT YET BE CLOSED**, so that the parties may take all steps required by Federal Rule of Civil Procedure 23 and the parties' Settlement Agreement to notify an additional 1,652 students recently identified as members of the Settlement Class of the terms of the parties' Settlement Agreement, including any addendum thereto specifically directed to the recently identified 1,652 students, in order that any person so notified may object to the terms of the Settlement Agreement, requested attorneys' fees/costs, and/or class representative award, exclude themselves from the settlement agreement, or otherwise avail themselves of any right or entitlement set forth in Rule 23 or otherwise guaranteed by the principles of due process. The court will keep this case open until this second phase of notice is complete.

The court will, thereafter, conduct a second Fairness Hearing (to be scheduled) and render a ruling on any supplemental or amended motions papers regarding an additional award of class counsel fees and costs, and an additional service award for Named Plaintiff Botts. This action shall, therefore, not be closed until this group of 1,652 Settlement Class members has been afforded all due process, including the opportunity to object, as contemplated by Rule 23. **The parties shall keep the court informed of the status of this effort by joint status report filed 45 days from April 20, 2023; and, at a time subject to counsel's discretion, shall confer with one another via counsel and contact chambers to provide no fewer than two mutually agreeable dates for a second Fairness Hearing.** Out-of-state counsel not presenting argument may appear telephonically.

Thus far, the following persons have validly excluded themselves from the Settlement Class in and are thus **EXCLUDED FROM THE TERMS OF THIS ORDER:** Rupa Kambhampati of North Potomac, MD; and Grace Jull of Lenox, MA.

/S/

April 20, 2023

Julie R. Rubin
United States District Judge