

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

|                                     |   |                            |
|-------------------------------------|---|----------------------------|
| TALISA BORDERS,                     | ) |                            |
| OTISHA WOOLBRIGHT, and              | ) |                            |
| STACEY LEWIS, On Behalf of          | ) |                            |
| Themselves and All Others Similarly | ) |                            |
| Situated,                           | ) | Case No. 17-cv-506-SMY-MAB |
|                                     | ) |                            |
| Plaintiffs,                         | ) |                            |
|                                     | ) |                            |
| vs.                                 | ) |                            |
|                                     | ) |                            |
| WAL-MART STORES, INC.,              | ) |                            |
|                                     | ) |                            |
| Defendant.                          | ) |                            |

**ORDER PRELIMINARILY APPROVING**  
**CLASS ACTION SETTLEMENT**

**YANDLE, District Judge:**

Upon consideration of Plaintiffs’ Motion for Preliminary Approval of the Class Action Settlement, Conditional Certification of the Settlement Classes, Appointment of Plaintiffs as Class Representatives, Appointment of Plaintiffs’ Counsel as Class Counsel, and Approval of the Proposed Notice of Settlement and Class Action Settlement Procedure (“Motion”) (Doc. 132), Plaintiffs’ supporting memorandum, the proposed Settlement Agreement (“Settlement Agreement”), notice plan, and claim form, it is hereby ORDERED that the Motion is **GRANTED**.

The Court makes the following findings and rulings:

1. The parties’ proposed Settlement Agreement is within the range of fair, adequate, and reasonable, and, therefore, warrants submission to members of the Settlement Class for their consideration and a formal fairness hearing under Fed. R. Civ. P. 23(e) (“Settlement Hearing”).
  
2. The Settlement Classes are defined as follows:

The Accommodations Service Center (ASC) Settlement Class consists of all women employed by Walmart at stores in the 39 National Policy States who were denied requested accommodations because of pregnancy by the ASC between March 19, 2013 and March 5, 2014, inclusive.

The Non-ASC Settlement Class consists of all women employed by Walmart at stores nationwide who were denied requested accommodations because of pregnancy by store level management and/or store-level human resource personnel between March 19, 2013 and March 5, 2014, inclusive.

These Settlement Classes are under Fed. R. Civ. P. 23 for settlement purposes only. Further, certification of the Settlement Classes is provisional pending final approval of the Settlement. If the Settlement is not approved, this certification will be null and void.

3. Talisa Borders and Otisha Woolbright are appointed the Class Representatives for the Non-ASC Settlement Class and Stacy Lewis is appointed the Class Representative for the ASC Settlement Class. Mehri & Skalet, PLLC, A Better Balance, and the National Women's Law Center are appointed Class Counsel.

4. The Notice of Proposed Settlement and Settlement Hearing Notice ("Notice) and the Reminder Notice are approved as appropriate notice to the class. The Claims Administrator shall send the Notice and Claim Form ("Claim Form") to Class Members as set forth in Section 6 of the Settlement Agreement.

5. The Notice sets forth the procedures pursuant to which members of the Settlement Class may exclude themselves ("opt out") from the monetary benefits of the Settlement Agreement. Any request for exclusion must be submitted within 60 days after Notice is mailed. Individuals may rescind their requests for exclusions as set forth in the Notice. Such rescissions must be submitted 30 days after the claim form deadline.

6. The Notice sets forth the procedures pursuant to which members of the Settlement Class may comment on or object to the terms of the Settlement Agreement. Any comment or

objection must be submitted within 60 days after Notice is mailed. The Notice sets forth the procedures pursuant to which members of the Settlement Class may file a claim for monetary relief. Claims must be submitted within 60 days from the mailing of the Notice.

7. The parties shall file a Motion for Final Approval of the Settlement and address any objections to the Settlement Agreement no later than March 24, 2020. Class Counsel shall also file its motion for an award of attorneys' fees and expenses no later than March 24, 2020.

8. A hearing shall be held on April 22, 2020, at 1:30 p.m. in the Benton Courthouse before the undersigned Judge to consider the motion for final approval of the proposed Settlement and Class Counsel's motion for an award of attorneys' fees and costs ("Settlement Hearing"). The procedures for members of the Settlement Class to object to the Settlement and to appear at the Settlement Hearing are set forth in the Notice.

9. A Qualified Settlement Fund shall be established and funded in accordance with Treasury Regulation § 1.468B-1, 26 C.F.R. § 1.468B-1. and the Settlement Agreement.

**IT IS SO ORDERED.**

**Dated: November 14, 2019**



**STACI M. YANDLE**  
**United States District Court Judge**