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IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
PENNSYLVANIA – CIVIL DIVISION

JOHN DOE, et al., individually and : CIVIL ACTION NO. 121203785  
on behalf of all persons similarly situated, :  
Plaintiffs : Class Action  
v. :  
: CASE IS SEALED BY COURT ORDER.  
CITY OF PHILADELPHIA, et al., :  
Defendants. :

RECEIVED  
JUN 24 2014  
CLERK OF COURT

**ORDER GRANTING CLASS CERTIFICATION FOR  
SETTLEMENT PURPOSES ONLY, PRELIMINARILY APPROVING  
SETTLEMENT, AND APPROVING NOTICE PROGRAM**

AND NOW, this 24<sup>th</sup>, day of June, 2014, upon consideration of Plaintiffs’ uncontested Motion for Class Certification for Settlement Purposes Only, For Preliminary Approval of Settlement, and Approving Notice Program, and after a hearing on June 23, 2014, the Court hereby makes the following findings:

1. Capitalized terms used in this Order have the meanings assigned to them in the Settlement Agreement.
2. The parties have entered into a Settlement Agreement intended to resolve the Litigation pending in this Court;
3. The Settlement Agreement, together with supporting materials, sets forth the terms and conditions for a proposed Settlement and ultimate dismissal with prejudice of this Litigation;
4. The Court has before it the Plaintiffs’ uncontested Motion for Class Certification for Settlement Purposes Only and For Preliminary Approval of Settlement and Notice Program, together with a Memorandum of Law and the Settlement Agreement with supporting materials; and

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5. The court is satisfied that the terms and conditions set forth in the Settlement Agreement were the result of good faith, arm's length settlement negotiations involving an experienced mediator and between competent and experienced counsel for the parties.

Based upon the foregoing, it is hereby ORDERED as follows:

1. The Settlement Agreement between the Parties is hereby conditionally approved, subject to further consideration at the Final Approval Hearing. The Court finds that said Settlement is sufficiently within the range of reasonableness and that notice of the proposed Settlement should be given as provided in this Order.

2. Pursuant to Pa.R.C.P. Nos. 1701 et seq., the Court certifies, for settlement purposes only, the following Settlement Class and Subclasses:

Settlement Class:

The 3,165 persons who appealed the denial or revocation of their License to Carry Firearms to the Philadelphia Board of Licenses and Inspections Review, and whose allegedly confidential information, including name, address and reason for appeal ("LTCTF Information"), appears in the City of Philadelphia's "Hansen" database and may have been disclosed to individuals and/or entities not entitled to access in alleged violation of 18 Pa.C.S. §6111(i). Excluded from the Settlement Class are the current members of Philadelphia City Council and the officers and employees of the Defendants.

Subclass I:

The 2,190 members of the Settlement Class whose LTCTF Information was available for public viewing on the City of Philadelphia owned and operated website <http://www.phila.gov/map> during the time period of August 11, 2012 through August 15, 2012.

Subclass II:

The 1,077 members of the Settlement Class who are not members of Subclass I.

3. The Court further finds that the Representative Plaintiffs are adequate class

representatives for the Settlement Class and the respective Subclasses of which each is a member.

4. The Court further finds that Class Counsel are adequate counsel for the Settlement Class.

5. The Court approves the form of Class Notices attached to the Settlement Agreement as Exhibits “D-1” and “D-2.” The Court also approves the Notice Program set forth in Section IV of the Settlement Agreement.

6. If the Settlement Agreement is terminated or not consummated for any reason, the conditional certification of the Settlement Class shall be void and the Defendants shall have reserved all of their rights to oppose any subsequently filed class certification motions. Additionally, Plaintiffs reserve all of their rights, including the right to continue with the Litigation should the Settlement Agreement not be consummated.

7. Class Counsel are as follows:

Joshua Prince, Esquire  
PRINCE LAW OFFICES, P.C.  
646 Lenape Road  
Bechtelsville, PA 19505

Benjamin R. Picker, Esquire  
McCAUSLAND KEEN & BUCKMAN  
Radnor Court, Suite 160  
259 N. Radnor-Chester Road  
Radnor, PA 19087-5257

Jonathan Goldstein, Esquire  
McNELLY & GOLDSTEIN, LLC  
Carillon Hill Road  
Sellersville, PA 18960

Jon S. Mirowitz, Esquire  
LAW OFFICE OF JON MIROWITZ  
161 E. Duncannon Avenue  
Philadelphia, PA 19120

Any notices to be mailed or provided to Class Counsel, including any Objections to the Settlement by Settlement Class Members, shall be directed to Joshua Prince, Esquire at his above-stated address.

8. In accordance with the terms of the Settlement Agreement, Defendant, the City of Philadelphia is hereby authorized and ordered to, at its own expense, immediately retain an experienced and capable class action administration company as the Settlement Administrator, the cost of which shall not be deducted from the Settlement Fund. The Settlement Administrator is hereby authorized and ordered to take all actions required by the Settlement Agreement.

9. In accordance with the Settlement Agreement, beginning not later than thirty (30) days after the date of this Order (the "Notice Date"), the Settlement Administrator shall cause the Class Notices, substantially in the forms attached to the Settlement Agreement as Exhibits "D-1" and "D-2" to be disseminated to the Members of the Settlement Class in the manner set forth in Section IV of the Settlement Agreement. Exhibit "D-1" shall be the form of Class Notice sent to members of Subclass I and Exhibit "D-2" shall be the form of Class Notice to be sent to members of Subclass II. Such Notice Program shall be completed expeditiously pursuant to the terms of the Settlement Agreement. At least thirty (30) days prior to the date of the Final Approval Hearing, the Settlement Administrator shall file a sworn statement attesting to compliance with the provisions of this paragraph and shall serve a copy thereof on Class Counsel and Defendants' Counsel.

10. The aforementioned Class Notices are hereby found to be the best practicable means of providing notice under the circumstances and, when completed, shall constitute due and sufficient notice of the proposed Settlement and the Final Approval Hearing to all persons affected by and/or entitled to participate in the Settlement, in full compliance with the notice

requirements of Pa.R.C.P. Nos. 1701 et seq., due process, the Constitutions of the United States of America and the Commonwealth of Pennsylvania, Pennsylvania law, and all other applicable laws. The Class Notices are accurate, objective, informative, and provide the members of the Settlement Class with all of the information necessary to make an informed decision regarding their participation in the Settlement and its fairness, and their legal rights.

11. A hearing is hereby scheduled to be held before the undersigned in Philadelphia **City Hall, Courtroom Room 480 at 2:00 p.m. on October 29, 2014** (the “**Final Approval Hearing**”), to consider the fairness, the reasonableness, and the adequacy of the proposed Settlement, the dismissal with prejudice of this class action with respect to the Released Parties that are Defendants herein, retaining jurisdiction to enforce the terms of this Settlement Agreement and the Policy Changes identified therein, and the entry of a Final Approval Order in this Litigation. Class Counsel’s application for an award of attorneys’ fees and expenses shall also be heard and decided by the Court at the time of the Final Approval Hearing. The date, time and location of the Final Approval Hearing shall be set forth in the Class Notices and on the Settlement Website.

12. Any member of the Settlement Class who wishes to be excluded (“opt out”) from the Settlement Class must mail a written Request for Exclusion to the Settlement Administrator at the address set forth in the Class Notices so that it is postmarked by the “Opt Out and Objection Deadline” set forth below. The Request for Exclusion must be timely and must fully comply with the requirements set forth in the Settlement Agreement to be valid. Members of the Settlement Class may not exclude themselves by filing Requests for Exclusion as a group or class, but must in each instance individually and personally execute a Request for Exclusion and timely provide it to the Settlement Administrator. Any member of the Settlement Class who does

not properly and timely request exclusion from the Settlement Class shall be bound by all of the terms and provisions of the Settlement Agreement. All members of the Settlement Class who do not personally and timely request to be excluded from the Settlement Class are enjoined from proceeding against the Defendants for the claims made in the Complaint.

13. Any person who does not elect to be excluded from the Settlement Class may, but need not, submit comments or objections to the proposed Settlement by the “Opt Out and Objection Deadline” set forth below. Any member of the Settlement Class may object to the proposed Settlement, entry of a Final Approval Order approving the Settlement, and Class Counsel’s application for attorneys’ fees and expenses by timely filing and serving a written Objection in the manner set forth below. Any Class Member making the Objection (an “Objector”) to the Settlement must sign the Objection personally. The Objection must state the Objector’s name, address and telephone number, and must state why the Objector objects to the proposed Settlement and must provide the basis for such position, including any relevant supporting documentation. If an Objector intends to appear personally at the Final Approval Hearing, the Objector must include with the Objection a notice of the Objector’s intend to appear at the Final Approval Hearing. An Objector need not appear at the Final Approval Hearing for his/her Objection to be considered by the Court. If counsel is appearing on behalf of more than one member of the Settlement Class, counsel must identify each such member of the Settlement Class that he/she is representing, and each such member of the Settlement Class must have complied with the requirements of this Order. Any Objections shall be filed, under seal, with the Philadelphia Prothonotary electronically, or by mail or hand delivery at the following address:

Prothonotary  
Philadelphia Court of Common Pleas  
City Hall Room 284  
Philadelphia, PA 19107

If an objection is not filed electronically the Objector must pay the appropriate “scanning fee” of one dollar (\$1.00) per page to the Prothonotary at the time of filing. Objections, along with any notices of intent to appear, must also be mailed to Class Counsel and counsel for Defendants at the addresses listed below:

**CLASS COUNSEL:**

Joshua Prince, Esquire  
Prince Law Offices, P.C.  
646 Lenape Road  
Bechtelsville, PA 19505

**DEFENDANTS’ COUNSEL:**

Craig Straw, Esquire  
Chief Deputy, Civil Rights Unit  
Philadelphia Law Department  
1515 Arch Street, 14<sup>th</sup> Floor  
Philadelphia, PA 19101

Only members of the Settlement Class who have filed and served a valid and timely Objection shall be entitled to be heard at the Final Approval Hearing. Any member of the Settlement Class who does not timely file an serve an Objection in accordance with the procedure set forth in the Class Notices and mandated in this Order shall be deemed to have waived any such Objection by appeal, collateral attack, or otherwise. Members of the Settlement Class need not appear at the Final Approval Hearing or take any other action to indicate their approval of the Settlement.

14. The Opt Out and Objection Deadline shall be set forth in the Class Notices and shall be forty-five (45) days from the Notice Date.

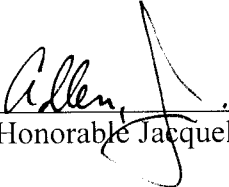
15. Any member of the Settlement Class who does not elect to be excluded from the Settlement Class may, but need not, enter an appearance through his or her own attorney. Members of the Settlement Class who do not enter an appearance through their own attorneys will be represented by Class Counsel.

16. At least twenty (20) days prior to the date of the Final Approval Hearing, Class Counsel shall file a Motion for Final Approval of the Settlement and for an Award of Attorneys’ Fee and Expenses (“Motion for Final Approval”), with a Memorandum of Law and a proposed

Final Approval Order. Immediately upon filing, Class Counsel shall serve a copy of the Motion for Final Approval upon Defendants' Counsel. Furthermore, immediately upon filing, Class Counsel shall provide a copy of the Motion for Final Approval to the Settlement Administrator, which shall immediately post a copy thereof on the Settlement Website. The date and time of the Final Approval Hearing shall be set forth in the Class Notices, however, the Final Approval Hearing shall be subject to adjournment by the Court. Should the Final Approval Hearing be adjourned by the Court, Defendants' Counsel shall immediately notify the Settlement Administrator, which in turn shall so advise members of the Settlement Class through the Settlement Website.

17. Any and all provisions of the Settlement Agreement not otherwise set forth herein are hereby incorporated by reference herein and shall have the full force and effect of an Order of this Court. However, if there is any conflict between the provisions of the Settlement Agreement and the provisions of this Order, the provisions of this Order shall prevail.

BY THE COURT:

  
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The Honorable Jacqueline F. Allen