

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

LATONYA SIMMS, on behalf of herself )  
and all others similarly situated, )

Plaintiff, )

vs. )

EXACTTARGET, LLC, )

Defendant. )


Cause No. 1:14-cv-737-WTL-DLP

**ORDER ADOPTING REPORT AND RECOMMENDATION, APPROVING  
SETTLEMENT, AND DISMISSING CASE WITH PREJUDICE**

On October 2, 2018, the Magistrate Judge submitted her Report and Recommendation on Plaintiff’s Motion for Final Approval of Class Action Settlement and Plaintiff’s Motion for Approval of Attorneys’ Fees, Costs, and Incentive Award. Dkt. No. 177. The parties were afforded due opportunity pursuant to statute and the rules of this Court to file objections; none were filed. The Court, having considered the Magistrate Judge’s Report and Recommendation, hereby adopts the Magistrate Judge’s Report and Recommendation as set forth in Docket Number 177 in its entirety, and approves the parties’ settlement agreement (Dkt. No. 159-2), approves an incentive award in the amount of \$5,000.00 to class representative Latonya Simms, approves administrative costs not to exceed \$320,000.00, and awards class counsel attorneys’ fees and costs in the amount of \$2,073,750.00.

Subject to the terms and conditions of the settlement agreement, this case is hereby **DISMISSED WITH PREJUDICE**. The Court reserves jurisdiction over all matters relating to the interpretation, administration, effectuation, and enforcement of the terms of the settlement agreement, which are incorporated herein by reference. The Clerk is directed to close this case.

SO ORDERED: 10/19/18

A handwritten signature in cursive script that reads "William T. Lawrence". The signature is written in black ink and is positioned above a horizontal line.

Hon. William T. Lawrence, Senior Judge  
United States District Court  
Southern District of Indiana

Copies to all counsel of record via electronic notification