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**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

IN RE PORTFOLIO RECOVERY  
ASSOCIATES, LLC,  
TELEPHONE CONSUMER  
PROTECTION ACT  
LITIGATION

No. 11-md-02295-JAH-BGS  
Member cases:  
All member cases

**ORDER AND JUDGMENT  
GRANTING FINAL APPROVAL  
OF CLASS ACTION  
SETTLEMENT**

On April 25, 2016, Plaintiffs Jeremy Frydman, John Howard, Sam Marin, Jesse Meyer, Fred Jury, and Danny Allen (collectively, "Plaintiffs") and Defendants Portfolio Recovery Associates, LLC and PRA Group, Inc. f/k/a Portfolio Recovery Associates, Inc. (collectively "PRA") entered into a Stipulation and Agreement of Settlement ("Agreement"), which is subject to review under Rule 23 of the Federal Rules of Civil Procedure. On April 25, 2016, Plaintiffs filed a Motion for Preliminary Approval of Class Action Settlement and Certification of Settlement Class (hereinafter referred to as the "Preliminary Approval Motion"). On June 23, 2016, upon consideration of the Agreement, the Preliminary Approval Motion, and the record, the Court entered an Order of Preliminary Approval of Class Action Settlement (hereinafter referred to as the "Preliminary Approval Order").

On October 6, 2016, Plaintiffs filed their Motion for Attorneys' Fees, Costs and Incentive Payments. On October 6, 2016, Plaintiffs filed their Motion for Final Approval of Class Action Settlement (hereinafter referred to as the "Final Approval

1 Motion”). Pursuant to their Final Approval Motion, Plaintiffs request final  
2 certification of the settlement class under Federal Rule 23(b)(3) and final approval of  
3 the proposed class action settlement.

4 On December 5, 2016, a Final Approval Hearing was held pursuant to Federal  
5 Rule 23 to determine whether the Action satisfies the applicable prerequisites for  
6 class action treatment and whether the proposed settlement is fundamentally fair,  
7 reasonable, adequate, and in the best interests of the Class Members and should be  
8 approved by the Court. The Court has read and considered the Agreement, the Final  
9 Approval Motion, any objections filed, the record and arguments by counsel.

10 In conjunction with the findings and ruling issued on the record, IT IS  
11 HEREBY ORDERED, ADJUDGED AND DECREED:

12 I. TERMS INCORPORATED: The Agreement and all definitions set forth  
13 therein are hereby incorporated with and made part of this Order Granting Approval  
14 of Class Action Settlement (“Final Approval Order”).

15 II. JURISDICTION: The Court has jurisdiction over the subject matter of  
16 the Action and over all settling Parties thereto including, without limitation,  
17 the Class Members.

18 III. CLASS MEMBERS: Pursuant to Fed. R. Civ. P. 23(b)(3), the Action  
19 is hereby finally certified, for settlement purposes only, as a class action on  
20 behalf of the following Class Members:

21 All natural persons residing in the United States who received one or more  
22 telephone calls from an autodialer or a predictive dialer operated by  
23 Defendants to such person’s cellular telephone number between December  
24 23, 2006 and July 1, 2013, inclusive, and who are listed in the csv data file  
25 titled pra\_outbound\_dial\_list\_20140304.zip produced to Plaintiffs’ counsel.  
26 Excluded from the Class are the Judges to whom the Action is assigned and any  
27 member of the Judges’ staffs and immediate families, as well as all persons who  
28 validly request exclusion from the Class.

1 IV. NOTICE AND CLAIMS PROCESS: Pursuant to the Court's Preliminary  
2 Approval Order, the Settlement Administrator has complied with the approved  
3 Notice process as confirmed in its declaration filed with the Court. The Court finds  
4 that both the direct mail notice and the publication notice were the best practicable  
5 means to provide notice under the circumstances, were reasonably calculated to  
6 apprise the Class Members of the pendency of this action and the terms of the  
7 proposed settlement, and satisfied the due process requirements of the Constitution  
8 of the United States, Rule 23(c)(2) of the Federal Rules of Civil Procedure, and any  
9 other applicable laws. The Court also finds that the notice required by the Class  
10 Action Fairness Act has been satisfied.

11 VI. FINAL CLASS CERTIFICATION: The Court finds that the defined Class  
12 satisfies, for settlement purpose only, the applicable prerequisites for class action  
13 treatment under Fed. R.Civ. P. 23. Namely:

- 14 1) The Class members are so numerous that joinder of all of them in the Action  
15 would be impracticable;
- 16 2) There are questions of law and fact common to the Settlement Class  
17 members, which predominate over any individual questions;
- 18 3) The claims of Plaintiffs are typical of the claims of the Settlement Class  
19 members;
- 20 4) The Plaintiffs and Class Counsel have fairly and adequately represented and  
21 protected the interests of all the Settlement Class members; and
- 22 5) Class treatment of these claims will be efficient and manageable, thereby  
23 achieving an appreciable measure of judicial economy, and a class action is  
24 superior to other available methods for a fair and efficient adjudication of this  
25 controversy.

26 VII. THE SETTLEMENT IS FAIR AND REASONABLE: The Court finds that the  
27 Agreement is in all respects fundamentally fair, reasonable, adequate, and in the best  
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1 interests of the Settlement Class members, especially in light of the benefits to the  
2 Settlement Class members, the strength of the Plaintiffs' case, the complexity,  
3 expense and probable duration of further litigation, the risk of obtaining and  
4 collecting any judgment obtained on behalf of the putative class and, the risk and  
5 delay inherent in possible appeals. The Parties and the Settlement Administrator are  
6 ordered to administer and consummate the settlement in accordance with the terms of  
7 the Agreement.

8 VIII. ADMINISTRATION OF THE SETTLEMENT FUND: The Court orders the  
9 Settlement Administrator to distribute the money in the Settlement Fund consistent  
10 with the provisions of the Agreement, and to maintain the Settlement Fund until all  
11 such money has been so distributed.

12 IX. EXCLUSIONS AND OBJECTIONS: This Final Approval Order applies to all  
13 Released Claims against all Released Parties settled under the terms of the Settlement  
14 Agreement, and shall be fully binding with respect to all Class Members who did not  
15 properly request exclusion. Those persons requesting exclusion are identified on  
16 Exhibit A to this Order. In addition, the Court hereby excludes these persons, and  
17 Geoff G. Heusohn, Victor Malliaros, Robin Rice and Edward Hagood from the Class  
18 and Settlement Class.

19 After consideration of each of the objections received, the Court hereby  
20 overrules them for the reasons discussed during the hearing.

21 X. ATTORNEYS' FEES

22 The requests for attorneys' fees are addressed in a separate order.

23 XI. INCENTIVE AWARDS

24 The motion for incentive awards is addressed in a separate order.

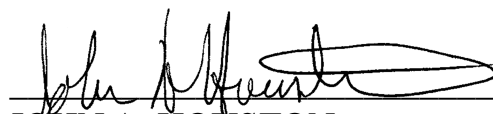
25 XII. RELEASE OF CLAIMS AND DISMISSAL OF LAWSUIT: The Class

26 Representatives, Class Members, and their successors, heirs, executors, predecessors,  
27 and assigns are permanently barred and enjoined from instituting or prosecuting,  
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1 either individually or as a class, or in any other capacity, any of the Released Claims  
2 against any of the Released Parties, as set forth in the Agreement. Pursuant to the  
3 Agreement, the Released Claims released specifically extend to all claims and  
4 potential claims that Settlement Class Members do not know or suspect to exist in  
5 their favor as of the Effective Date. Plaintiffs and each Settlement Class Member  
6 shall be deemed to understand and acknowledge that they are aware that they may  
7 hereafter discover facts in addition to, or different from, those facts which they now  
8 know or believe to be true with respect to the subject matter of the Agreement, but  
9 that they fully, finally and forever release all Released Claims, and in furtherance of  
10 such intention, the release will remain in effect notwithstanding the discovery of  
11 reexistence of any such additional or different facts. The Parties acknowledge that the  
12 release of unknown Released Claims as set forth herein was separately bargained for  
13 and was a key element of the Agreement. The Court dismisses each such Released  
14 Claim with prejudice.

15 XI. JUDGMENT: This document shall constitute a judgment for purposes of Rule  
16 58 of the Federal Rules of Civil Procedure. Final Judgment in this action is hereby  
17 entered. This action, including all claims asserted herein, is hereby dismissed with  
18 prejudice in all respects. Without affecting the finality of this Final Approval Order,  
19 the Court hereby retains continuing and exclusive jurisdiction over the Parties and all  
20 matters relating to the Action and/or Agreement, including the administration,  
21 interpretation, construction, effectuation, enforcement, and consummation of the  
22 Agreement and this order and judgment, and any distributions or disbursements of or  
23 from the Settlement Fund.

24 DATED: January 23, 2017

25   
26 JOHN A. HOUSTON  
27 United States District Judge  
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# EXHIBIT A

Last1	First1
	PAUL E HROVAT & KENDRA KING
	SYED KAMRAN NAYER & LUBNA SAJJAD JAFFRY
	TYRONE P MAJOR & CHARMAINE M EBANKS
ABLITT	CHRISTINA M
AGUILAR	ARMANDO
AHMED	THARWAT
ALLEN	HENRY
ALLEN	JOHN
ANDREWS	PAUL
APODACA	JANICE M
AREND	FELICIA
ARORA	ASHOK
ARROYO	MICHAEL P
ASBURY	KEVIN
ASHDOWN	JUSTIN ROBERT
ASHE	JOHN M
BADRAN	INNA SPIVAK
BAKER	ALISA M
BALOWSKI	DONALD P
BANKS	ROBERT
BARNHART	MELISSA ANN
BARNHART	RAYMOND K
BATISTA	JERILEE
BAUER	BRIGHID
BAUTISTA	EDDIE
BEANE	MICHAEL W
BELANY	DEBRA J
BELL	CASSAUNDR
BELL	WILLIAM
BENBERRY	SUSAN
BENGOCHEA	MIGUEL A
BENNETT	STEFVON
BLEVINS	MISTY R
BOMBA	FRANK A
BONFIGLIO	PAUL R
BORJA	FERNANDO
BOYKINS	ROSE
BRAATHEN	ROBBIE A
BRANCA	MARY

BRANNAM	BRENDA
BRANNEN	JOYCE
BRINKLEY	FREDERICK
BROMBERG	BENJAMIN R
BROWN	JAMES AND CATHERINE
BROWN	MARK D
BUKVICH	MILDRED
BURNETT	VERNON
BURROUGHS	BRET
BYERS	ATHIENA
BYNUM	TWYLER T
CALDERON	ANGEL
CALLIES	DEBI
CARPENTER	ELIZABETH S VALLERY
CARROLL	ARDITH M
CASTRO	ANDRES ARTURO & GUADALUPE
CATLETT	LAURA L
CHAPMAN	MELVIN V
CHATURVEDI	SHILESH K
CHEATHAM	GENEVIA
CHILDS	DONNA R
CHIN	ALSIONA
CHRISMAN	RICHARD
CHU	PATRICK
CIESLA	CHRIS
CLARK	JERRY L
CLEMENTS	LAKESH
COHEN	MICHAEL S
COLLINS	RAYMOND
COLLINS	ZULEIKA
CONNOR	GUY R
CORSONES	PETER
COUNTRYMAN	KRISTIN A
COXBALDENEGRO	CHRISTINA
COYKENDALL	JOY LYNN
CUNNINGHAM	CRAIG
CURRY	JAMES
DABASH	ZAID BASSAM
DANBAR	KATRINA A
DAVIS	KIMBERLY
DEAL	MARTHA

DEAN	JANE M
DECKARD	TIFFANY
DEERING	MARY
DEFAZIO	RACHEL
DELALUE	RAOUL G
DELUCA	NICHOLAS P
DEXHEIMER	JACQUELYN
DIAMOND	DANIELLE
DIXON	TENEKA S
DOBYNES	DERRICK
DOMINGO	LAWRENCE
DOWNS	AUSTRALIA
DUNN	BENJAMIN
DUNSTAN	SCOTT
DYE	SONYA
EAKIN	KATHRYN MARIE
EBERLY	RICHARD
ELWELL	KRISTEN A
ENGELS	EARNEST
EPPERSON	DAVID D
FERGERSON	ROLANDO
FETTER	JANE
FINNEY	SHAD D
FISICHELLA	SEBASTIAN
FLETCHER	GARY D
FOLEY	MICHELLE L
FOOTE	PATRICK
FORTE	YOLANDA
FOURROUX	JUSTEN & STACIE
FOWLER	MICHAEL S
FRAZIER	RONDELLT
FRISCHMANN	JEFFREY
FRITZ	TONY J
FRITZ	TRISHA
FUENTES	TONY M
GABOT	WILL
GALINDO	ALBA
GAMBOA	DANTE
GARCIA	AILIN
GIANNASCA	ANTHONY U
GILLESPIE	RUSSELL



GOEHST	DAVID J
GONCI	JEFFREY A
GONZALEZ	BARBARA
GONZALEZ	MICHAEL T
GONZALEZ ROSARIO	JOANNE
GOODRIDGE	MICHAEL A
GOSS	JUNE R
GOUGH	JOSEPH W
GOULD	DIANE T
GRANT	DENISE K
GRAVETTE	EUGENE S
GRAY	LAURA
GREENE	COLLETTE
GREENGRASS	MICHAEL A
GRIEF	DANIEL
GRIFFIN	JENNIFER MARIE
GUSTAFSON	ANTHONY A
GUZMAN	NADINE
HADI	MICHAEL A
HAGOOD	EDWARD D
HALLBERG	TINA M
HANSON	DANIELLE
HARRINGTON	LARRY
HARRIS	BARBARA E
HARRIS	JOE
HEARD	DIANNA
HEARD	THOMAS P
HEATLEY	MARETTA
HERNANDEZ	RENE
HERODE	BENJAMIN
HERRERO	CARL
HERZOG	KATHLEEN A
HILL	ANDREW T
HILL	ERIC
HILL	MARK E
HILLIARD	DAVE E
HILLIARD	LAQUESTA
HINES	LOTTIE
HINTON	AMIE
HOOVER	ADAM M
HOUSER	CATHY

ISAACS	MARION
IVEY	A L
JENKINS	CONNIE
JENKINS	JARRETT R
JEWSEVSKYJ	ALEXANDE M
JOHNSON	LARHONDA
JOHNSON	MICHAEL
JOHNSON	REBECCA
JOHNSON	RYAN M
JUSTICE	RICKI
KANFOLD	STANLEY S
KELLEY	JAMES S
KEMMERER	BERT
KERN	DAVID R
KHAN-HEWITT	DEDZRA
KIEFER	WENDY L
KILMER	TAMMY
KING	EARLINA
KING	MARIE C
KRICHMAR	RACHEL A
KRISTIANSEN	STEVEN L
KUBLY	BRADFORD L
KWIT	TRACY
LAMBERT	LESLIE
LAMIE	BRYAN SCOTT
LAMKIN	PAM J
LANG	MAXINE MARIE
LARA	ROSIE
LAURORE	KEPLER
LAWRENCE	MARC
LEBOON	CASSANDRA
LEE	GREGORY A
LEONARD	LYDIA EILEEN
LETTRICH	THOMAS R
LEVY	SOPHIA
LONGA	CHRISTINE
LOVETTE	TODD
LUKOWICZ	CYNTHIA R
LUKOWICZ	JOHN T
LUNCEFORD	ALAN
LYNCH	DANIEL

MACATANGAY	JULIUS P
MADDEN	JULIE
MAKARIOUS	ANDREW H
MANASSE	FRANCESCO K
MARC	CLAUDETTE
MARCZAK	STAN
MARSELAS	CHARLES A
MARTIN JR	GLENN
MATHER	DANIEL W
MATTEO	DANIEL J
MAXEY	AL
MAYS	TEREDA
MCCALL	CHENELLE
MCFARLAND	TYRONE
MCINTOSH	ELLA L
MCLAUGHLIN	JUDITH A
MCLAUGHLIN	WILLIE
MCLEOD	SUZANE
MCPHERSON	THOMAS
MEACHAM	SARAH
MEHDI	HUSSEN
MEININGER	STEPHEN L
MELLO	ARI
MERHOLZ	MICHAEL
MERLI	DENICE
MICHAEL	PATRICIA LYNN
MILANA	MARIA
MILLSPAUGH	LESLIE A
MORRIS	LACEY N
MORRIS	TAMARA
MORRIS	TIM
MULRINE	NORMA J
MUSGROVE	HOWARD
MUSGROVE	JANET
NEEDS	FORREST
NEVILLE	FREDERICK
NEVITT	NEMIAH
NEWCOMB	JOSEPH
NICHOLS JR	WILLIAM
NIKOLOV	STEVEN S
NULLINER	SUSAN

OCANAS	JUANITA
OLIVER	LAURA
OLIVIER	DAMIEN JONATHAN
OLIVIER	SYLVIE T
ORTIZ	KATHY R
PARKER	CHISTOPHER T
PASQUESI	PAUL
PASQUESI	SARAH
PATTERSON	CALVIN
PAUL	PAULINE
PAYTON	REBECCA BUCHSTIEN
PEACOCK	FARON L
PELAEZ	SALLY ANN
PERKINS	CANDICE
PHILLIPS	CLEVE
PHILLIPS	JASON & HOPE
PIANTEDOSI	JENNA M
PYNES	CASSANDRA
QUEEN	KEVIN W
RAINS	PHILLIP
RAMCHARITAR	KARLA
REAMER	DAWN
REBELEZ	RIKKIANNE
REEDER	RUSTY J
REESE	CHRISTOPHER
RENFROW	JAY
REUPKE	LISA A
RHODES	RANDALL J
ROBART	DONALD
ROBERTSON	BERNARD
ROUILLARD	ELLA C
ROWE-HOUSER	TANEAKA
RUIZ	BONNIE
SALMONSEN	JEANNETTE C
SANKOFA	PIANKHI
SCALES	MICHAEL K
SCHARRER	BETH ANN
SEAY	RYAN
SEELIG	CRAIG
SENGVONGXAY	CHANPHONG
SHACKELFORD	CHRISTOPHER

SHAW	SHIRLEY M
SHEFFIELD	BK
SHELLEY	CEDAR
SHOTTS	OLGA I
SHOUN	AEIREL
SHOUP	RAYMOND P
SKARBAKKA	KERRY
SLATTERY	MICHAEL
SMALL	ROGER
SMARRELLA	EDITH A
SMITH	AKELI J
SMITH	KELLY
SMITH	TALISHA TALI
SMITH	TRACY D
SNEED	DEBRA J
SNOW	WARD
SOLOMON	BEN D
SOVICK	SHARON L
SOZA	JAMES
SPARKS JR	THEO
SPRINGER	TAMMY
STARKENBURG	DEBORAH M
STARTZ	DOUGLAS M
STATHOPOULOS	ANGELA
STEINHAFEL	PAMELA
STEPHENS	DAVID
STEVENS	DELBERT L
STEWART	GREGORY JACQUES
STOUT	KENNETH T
STREET	JEFFREY LEE
STREIN	ROXANNE M
STRELECKI	STEVE
STRICKLAND	LAFELL
SUAREZ	CARLOS
SUAREZ	CHRISTINE
SUGGS	JUDITH N
SUNDAHL	GARY L
SUNDAHL	LAURENCE M
SUTTON	CHRISTOPHER
TAUUNEACIE	LEWIS LUCAS
TAUUNEACIE	TERESA ANN

TECCE	TANYA
TERRELL	ELI
THOMAS	LARRY
THOMSEN	DEREK S
TOLBERT	SHWAUN
TUCK	DEBORAH A
VALDEZ	DESIRE
VANDERFORD	VICKIE
VIZZIELLI	JOSEPH R
WALKER	PAMELA
WALKER	PATRICIA
WASHINGTON	KELLIE
WAXMAN	ROBERT
WEAVER	LILLIE
WEINER	MATT
WENDLBERGER	MICHAEL R
WETTER	STORMEY A
WHEELER	CAROLYN
WHITE	RONALD
WHITLER	THOMAS
WIGINGTON	CRYSTAL M
WILLIAMS	BRENDA C
WILLIAMS	JERRI
WILLIAMS	JOANNE
WILLIAMS	TAMIKA
WILLIS	CHERYL
WILSON	KAREN
WORTHY	LORENZ
WRIGHT	CATHY L
YABONI	JOHN A
ZILLGITT	MARTHA K
ZIMMERMAN	CHRISTO M