

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JOHN C. RAYBURN,

Plaintiff,

v.

STAFFILINO CHEVROLET, INC., *et. al.*,

Defendants.

Case No. 2:18-cv-1534

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Kimberly A. Jolson

**ORDER**

This matter is before the Court on the Parties' Joint Motion to Modify the Class Definition and Approve Notice Thereof. (ECF No. 60). The parties request that the class definition be modified to exclude those individuals who meet the current class definition but who would not receive benefits under the class settlement. The parties further request that the Court authorize the issuance of the corrected notice attached as Exhibit A to their motion. (ECF No. 60-1). The Court **GRANTS** the joint motion regarding the modification of the class definition and the corrected notice, and **DEFERS** entering the requested final approval until the fairness hearing is held. (ECF No. 60).

The Class Definition in paragraph 1.6 of the Settlement Agreement shall be revised as follows, to include every Ohio resident who: a. Purchased a motor vehicle; b. As part of the purchase transaction, entered into a RISC where the RISC was assigned to SC; c. Where, during the period from January 1, 2013 to October 28, 2020, SC repossessed the vehicle and sent, subsequent to the repossession, a "Notice of Our Plan to Sell Property" Letter; d. Where the "Notice of Our Plan to Sell Property" Letter had a vehicle sale date that included the phrase "on or after;" and e. Subsequent to receiving the "Notice of Our Plan to Sell Property" Letter, did not

redeem or otherwise recover the vehicle from SC. The Class expressly excludes any person who is eligible for a Deficiency Balance Waiver in connection with the State AG Actions, unless that individual is also a Cash Refund Eligible Settlement Class Member.

All other portions of the Class Definition shall remain unaltered. Additionally, the Settlement Administrator shall cause the Corrected Notice attached as Exhibit A to the Motion, (ECF No. 60-1), to be sent to those individuals who will not receive benefits under the Settlement within two (2) weeks of the date of this Order.

**IT IS SO ORDERED.**

**3/29/2021**  
**DATE**

**s/Edmund A. Sargus, Jr.**  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**