

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

MARTHA TOWNER, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

1st MIDAMERICA CREDIT UNION, and
DOES 1-10,

Defendant.

Civil No.: 3:15-cv-01162-NJR-SCW

**NOTICE OF MOTION AND MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT Plaintiff Martha Towner hereby moves this Honorable Court for entry of an Order:

1. Finally approving the Settlement Agreement reached between Plaintiff and Defendants attached as Exhibit 1 to the Declaration of Taras Kick in Support of the Unopposed Motion for Preliminary Approval;
2. Approving class counsels' requested fee of \$166,666.00, or one-third of the settlement fund; and
3. Approving Public Citizen Foundation as the *cy pres* recipient.

This motion is based on this Notice of Motion and Motion, the Memorandum of Points and Authorities, the accompanying Declaration of Taras Kick, the accompanying Declaration of Richard McCune, the accompanying Declaration of Andrew Perry of the claims administrator, the accompanying Declaration of Robert Weissman, the accompanying Supplemental

Declaration of Arthur Olsen, other documents and papers on file in this action, and such other materials as may be presented before or at the hearing on this motion, or as this Honorable Court may allow.

Dated: September 6, 2017

Respectfully submitted,

/s/ Taras Kick

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*Counsel for Plaintiff Martha Towner and
the Putative Class*

CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2017, a copy of the above Memorandum Of Points And Authorities In Support Of Plaintiff's Unopposed Motion For Final Approval of Class Action Settlement was electronically filed using the CM/ECF system which will send a notice of electronic filing to all CM/ECF participants.

Respectfully submitted,

/s/ Robert Dart