

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

		X
B & R SUPERMARKET, INC., d/b/a	:	Case No. 1:17-cv-02738-BMC-JAM
MILAM'S MARKET, a Florida corporation,	:	
et al., Individually and on Behalf of All	:	<u>CLASS ACTION</u>
Others Similarly Situated,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
VISA, INC., et al.,	:	
	:	
Defendants.	:	X

[PROPOSED] ORDER REGARDING THIRD-PARTY CLAIMS FILING SERVICES

WHEREAS, Class Counsel and the Court wish to ensure the integrity of the claims process, and that any solicitations of Class Members regarding third-party claims filing services are not misleading;¹

AND WHEREAS, the claims process has not yet begun and thus Class Counsel expect various third-party entities to seek new business relationships based on the Settlement reached in this action;

AND WHEREAS, Class Counsel's Motion was unopposed;

IT IS HEREBY ORDERED AND DECREED as follows:

1. All third-party claims filing companies seeking to represent Class Members in connection with the Settlement are required to include the following in any solicitation or engagement agreement with prospective clients:

¹ Unless otherwise defined, all capitalized terms shall have the same meaning set forth in Class Counsel's Motion for a Prospective Order Concerning Misleading Third-Party Claims Filings Services ("Motion") (Dkt. No. 999).

- A. A statement making clear that:
 - i. Class Members need not use any third-party service in order to participate in any monetary relief;
 - ii. The use of a third-party service will not increase any monetary relief that Class Members are eligible to receive under the Settlement;
 - iii. No-cost assistance is available from the Claims Administrator and Class Counsel during the claims-filing period and that their contact information is available on the Court-approved Settlement website; and
- B. Information (including the full URL or direct link) directing Class Members to the Court-approved Settlement website for additional information.

2. The statement and information outlined above must be included in any solicitation or marketing materials, in any form, including on company websites, social media advertisements, in mail and email solicitations, and in telephone and in-person solicitations, as well as in engagement agreements with Class Members in connection with the Settlement.

3. Solicitations that do not contain the required statement and information (as set forth above) may be deemed misleading and, following notice and an opportunity to cure, if the issues are not resolved, those entities may be enjoined permanently from taking any role in the Settlement.

~~4. Any entity found to have violated this order shall be required to send, at their own expense, a corrective notice to Class Members that have been contacted by or engaged with that entity for claims filing services related to the Settlement to ensure that those Class Members are provided and understand the statement and information in Section 1.A and B, above. Upon receipt~~

~~of the corrective notice, Class Members have the option to void their contract with the offending entity.~~

5. Any third-party claims filing services filing claims on behalf of Class Members in connection with the Settlement shall attest and confirm in the claims form that they are in compliance with the Court's order(s) regarding third-party filing services.

6. Class Counsel and the Claims Administrator will ~~continue to~~ monitor third-party claims filing companies to ensure that they comply with any order of the Court and will provide any third-party filing companies that contact Class Counsel or the Claims Administrator with this order.

7. Class Counsel and the Claims Administrator shall provide a copy of this order to any third-party claims filing service companies seeking to represent Class Members in connection with the Settlement of which Class Counsel or the Claims Administrator are aware, and Class Counsel shall post a copy of this order on the Settlement website.

IT IS SO ORDERED.

DATED: August 6, 2026

SO-ORDERED

Joseph A. Marutollo

~~HONORABLE BRIAN M. COGAN~~
~~UNITED STATES DISTRICT JUDGE~~

JOSEPH A. MARUTOLLO
United States Magistrate Judge