

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>ASHA SMITH, Individually and On</b>	:	<b>CIVIL ACTION</b>
<b>Behalf of All Others Similarly Situated</b>	:	
<b>v.</b>	:	
	:	
<b>UNIVERSITY OF PENNSYLVANIA</b>	:	<b>NO. 20-2086</b>

**ORDER**

**NOW**, this 18th day of January, 2023, upon consideration of Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement and Approval of Manner of Distribution of Net Settlement Fund (Doc. No. 105) and Plaintiffs' Unopposed Motion for Award of Attorneys' Fees and Reimbursement of Expenses (Doc. No. 106), and after a hearing on January 17, 2023, and the Findings of Fact and Conclusions of Law (Doc. No. 112), it is **ORDERED** that the motions are **GRANTED**.

**IT IS FURTHER ORDERED** as follows:

1. The Settlement Agreement (Doc. No. 97-1) entered into between the Plaintiffs Asha Smith and Emma Nedley ("Plaintiffs" or "Class Representatives") on behalf of themselves and the proposed settlement class, and the Trustees of the University of Pennsylvania ("Penn") on September 7, 2022, is **APPROVED** as fair, reasonable and adequate.

2. The claims of the Class Representatives and the Settlement Class Members against Penn are compromised, settled, released, remised, discharged and dismissed on the merits and with prejudice in accordance with the terms of the Settlement Agreement.

3. The Class Representatives and the Settlement Class Members and all persons claiming by or through them are **PERMANENTLY BARRED** and **ENJOINED**

from instituting, commencing and/or prosecuting, directly or indirectly, any claim, suit or proceeding against Penn with respect to any and all settled claims against it.

4. Pursuant to the terms of the Settlement Agreement:

a. Penn shall pay a Settlement Amount of Four Million Five Hundred Thousand Dollars (\$4,500,000.00);

b. The Net Settlement Amount of \$2,875,016.51, which is the Settlement Amount less notice and administrative costs of \$88,554.00, attorney fees of \$1,500,000.00, litigation expenses of \$16,429.48, and a service award to the plaintiffs of \$10,000.00 each (\$20,000.00 total), shall be distributed to Settlement Class Members in accordance with the terms of the Settlement Agreement; and

c. Funds for Uncashed Settlement Checks shall be donated, as a *cy pres* award, to:

**Philadelphia Futures**  
123 S. Broad Street, Suite 850  
Philadelphia, PA 19109

Phone: (215) 790-1666  
Fax: (215) 790-1888  
Website: <https://philadelphiafutures.org/>

5. Edward W. Ciolko of Lynch Carpenter, LLP, and Paul Doolittle of Poulin | Willey | Anastopoulos, LLC, the appointed Class Counsel, are awarded from the Settlement Amount attorney fees in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00), which is 33.3% of the Settlement Amount, and out-of-pocket expenses in the amount of Sixteen Thousand Four Hundred and Twenty-Nine Thousand Dollars and Forty-Eight Cents (\$16,429.48).

6. The Class Representatives are each awarded Ten Thousand Dollars (\$10,000.00) from the Settlement Amount for their expenses in representing the Settlement Class.

7. These awards shall be distributed pursuant to the terms of the Settlement Agreement.

8. The parties are directed to carry out their obligations under the Settlement Agreement in compliance with this Order.

9. This action is **DISMISSED WITH PREJUDICE**.

10. The Court retains jurisdiction over this action, the parties and each of the Settlement Class Members for all matters relating to this action and the Settlement Agreement, including those matters relating to the interpretation, administration, implementation, effectuation and/or enforcement of the Settlement Agreement and this Order.

11. **FINAL JUDGMENT** shall be entered pursuant to Federal Rule of Civil Procedure 58.

  
TIMOTHY J. SAVAGE, J.