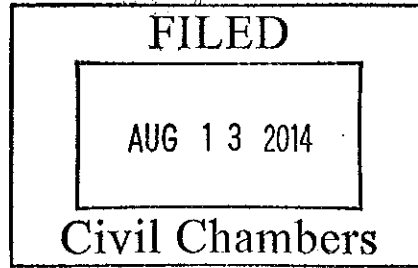


Stuart J. Lieberman, Esq. (ID: 016521986)
Shawn M. LaTourette, Esq. (ID: 010192009)
LIEBERMAN & BLECHER, P.C.
10 Jefferson Plaza, Suite 400
Princeton, New Jersey 08540
Tel.: (732) 355-1311 Fax (732) 355-1310
Attorneys for Plaintiffs



JOANNE CASALE and KAREN HUTCHINSON, individually and on behalf of all others similarly situated,

Plaintiffs,

vs.

SEGAL & MOREL AT LOPATCONG LLC, SEGAL & MOREL INC., OVERLOOK AT LOPATCONG CONDOMINIUM OWNERS ASSOCIATION INC., RADATA INC., REGENCY MANAGEMENT GROUP, LLC, JOHN AND JANE DOES 1-100, JOHN AND JANE DOE MANUFACTURERS 1-100,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
WARREN COUNTY

DOCKET NO.: WRN-L-170-09

CIVIL ACTION

ORDER APPROVING CLASS SETTLEMENT

THIS MATTER being opened to the Court by Lieberman & Blecher, P.C., attorneys for named Plaintiffs and the class in the above-referenced matter; Mayfield, Turner, O'Mara & Donnelly, attorneys for Segal & Morel at Lopatcong, LLC and Segal & Morel, Inc; Sweet Pasquarelli, attorneys for Overlook at Lopatcong Condominium Owners Association and Regency Management, LLC; and Marshall Dennehey Warner Coleman Goggin, attorneys for Falcon Engineering Co., by way of Motion for an Order Approving Class Settlement, and the Court having considered this request, the pleadings on file and argument of the parties, if applicable, and for good cause shown:

IT IS ON THIS 13th day of August, 2014,

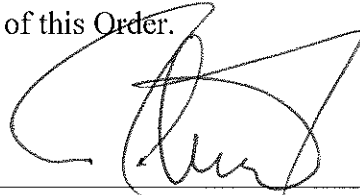
ORDERED that the parties' joint Motion for an Order Approving Class Settlement as articulated in the agreement attached as Exhibit A to the Certification of Shawn M. LaTourette, Esq. is granted; and it is further

ORDERED that the long form settlement notice to class members attached as Exhibit B to the Certification of Shawn M. LaTourette, Esq. is approved; and it is further

ORDERED that the short form settlement notice to class members attached as Exhibit C to the Certification of Shawn M. LaTourette, Esq. is approved; and it is further

ORDERED that a fairness hearing will occur before this Court on **Thursday, September 18, 2014 at 1:30 p.m.** before the Honorable John Pursel, J.S.C. (Ret. On Recall); and it is further

ORDERED that a copy of this Order shall be served by the moving party upon all parties in this action within seven (7) days of counsel's receipt of this Order.



HONORABLE JOHN PURSEL, J.S.C. (Ret. On Recall)

Opposed

Unopposed

See attached Statement of Reasons

STATEMENT OF REASONS

Pursuant to R. 4:32-2(e), governing settlement, voluntary dismissal, or compromise:

(1)(A) The court shall approve any settlement, voluntary dismissal, or compromise of the claims, issues, or defenses of a certified class.

(B) The court shall direct notice in a reasonable manner to all class members who would be bound by a proposed settlement, voluntary dismissal, or compromise.

(C) The court may approve a settlement, voluntary dismissal, or compromise that would bind class members only after a hearing and on finding that the settlement, voluntary dismissal, or compromise is fair, reasonable, and adequate.

(2) The parties seeking approval of a settlement, voluntary dismissal, or compromise under this rule shall file a statement identifying any agreement made in connection with the proposed settlement, voluntary dismissal, or compromise.

...

(4) Any class member may object to a proposed settlement, voluntary dismissal, or compromise that requires court approval under paragraph (e)(1)(A) of this rule. An objection made under this paragraph may be withdrawn only with the court's approval.

PRESSLER & VERNIERO, Current N.J. COURT RULES (GANN).

This matter arises from a class action brought by plaintiffs Joanne Casale and Karen Hutchinson, and class members similarly situated, against defendants Segal & Morel of Lopatcong, LLC (Segal), RAdata, Inc. (RAdata), Overlook at Lopatcong Condominium Owners Association Inc., (Association), Segal & Morel Inc. (Segal Inc.), and Regency Management Group, LLC (Regency). Third-party defendant Falcon Engineering Co. (Falcon) was brought into the action by the Association and the Segal defendants. Plaintiffs previously settled with RAdata. Plaintiffs and defendants Segal, Association, Segal Inc., Regency and third-party defendants Falcon (hereinafter Movants) now jointly move for a preliminary approval of a class action settlement negotiated by and between the parties. No opposition has been filed.

Movants contend that the proposed settlement¹ is fair, reasonable, and adequate, and will reduce the burdens on the Court. Movants contend that if the settlement is preliminarily approved by the Court, they will comply with the provisions of R. 4:32-2(e), et seq., by providing notice of the terms of the settlement to class members and seeking final approval of the settlement at a hearing. Movants contend that the question before the Court is whether the settlement falls within the range of reasonableness and it sufficiently fair, reasonable, and adequate to warrant dissemination of notice to the class members and establish procedures for a final hearing.

Movants contend that: the settlement is the product of arms-length negotiation; that counsel are experienced in similar litigation; the factual record was well developed through investigation and discovery; the settlement provides substantial benefits for all class members and treats them fairly; the settlement is fair and reasonable in view of alleged claims and defenses; the proposed payments to the class representatives are reasonable; the proposed notice to class members is adequate; scheduling final approval hearings is appropriate; that Class Counsel will move for appropriate attorney's fees and expenses upon approval of the settlement.

The Court is persuaded by the Movants' well-reasoned arguments. The Court finds that the proposed settlement is fair and reasonable, and congratulates the parties on their hard work and successful settlement negotiations. The Court has scheduled the fairness hearing, as requested, for September 18, 2014, at 1:30 in the afternoon.

Movants' motion is GRANTED.

¹ Briefly, the settlement includes the creation of a fund in court in the amount of \$300,000.00 that will be distributed per capita, less costs of suit and legal fees, to class members to cover the costs of radon mitigation system repair, maintenance and monitoring, as suggested by a licensed radon mitigation specialist. Class representatives Casale and Hutchinson will each receive \$2,500.00, less applicable costs and attorneys' fees.