

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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WILLIAM MILFORD,

Plaintiff,

v.

Case No. 22-cv-0879-bhl

ROEHL TRANSPORT, INC,

Defendant.

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**ORDER GRANTING PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT**

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Following the filing of Plaintiffs' Assented-To Motion for Preliminary Approval of Class and Collective Action Settlement (the "Motion for Preliminary Approval") (ECF No. 38) and the Court having considered all papers filed and proceedings had herein, and having reviewed the record in the above-captioned matter,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. Preliminary approval of the parties' Class and Collective Action Settlement Agreement and Release of Claims (Settlement Agreement and Release) (ECF No. 38-3) is granted as the Court finds that the settlement terms negotiated by the parties and described in the Settlement Agreement and Release appear to be a fair and reasonable resolution of a *bona fide* dispute between Defendant and Settlement Class Members.

2. A Settlement Class is preliminarily certified pursuant to Fed. R. Civ. P. 23 for settlement purposes only. As certified, the "Rule 23 Wisconsin Minimum Wage Class" is defined as follows:

All individuals who earned their CDL before coming to Roehl and participated in the Roehl Transport Safety and Job Skills Training Program and who received trainee pay during the three years preceding the filing date of the complaint and who do not opt out the Wisconsin law claims as part of the settlement notice process.

3. A Settlement Collective is conditionally certified pursuant to 29 U.S.C. § 216(b) for settlement purposes only. As certified, the “FLSA Collective” is defined as follows:

All individuals who earned their CDL before coming to Roehl and participated in the Roehl Transport Safety and Job Skills Training Program and who received trainee pay during the three years preceding the filing date of the complaint who opt in to the FLSA claims as part of the settlement notice process.

4. Hillary Schwab and Rachel Smit of the law firm Fair Work, P.C. are hereby appointed as counsel for the Rule 23 Wisconsin Minimum Wage Class and FLSA Collective.

5. Plaintiff William Milford is hereby appointed as representative of the Rule 23 Wisconsin Minimum Wage Class and FLSA Collective.

6. Optime Administration, LLC is hereby appointed as Settlement Administrator.

7. The Court approves the content and proposed plan for distribution of the Notice of Settlement of Class and Collective Action Lawsuit (“Notice”) and Claim Form and Consent to Join Lawsuit (together, the “Notice Packet”), attached to the Motion for Preliminary Approval as Exhibit 2, (ECF No. 38-2), as the best notice practicable under the circumstances, including individual notice to all Settlement Class Members who can be identified with reasonable effort, and constitutes valid, due, and sufficient notice to the Settlement Class Members in full compliance with the requirements of applicable law, including the Due Process clause of the United States Constitution..

8. Each Settlement Class Member will have 60 days after the date on which the Notice Packet is first issued to request exclusion from the Rule 23 Wisconsin Minimum Wage Class (i.e., “opt out”) by submitting a written request to the settlement administrator.

9. Each Settlement Class Member who does not request exclusion from the settlement will have 60 days after the date on which the Notice Packet is first issued to object to the settlement by submitting a written objection to the Court.

10. Each Settlement Class Member who does not request exclusion from the settlement will have 60 days after the date on which the Notice is first issued to submit the Claim Form and Consent to Join Lawsuit, thereby “opting in” to the FLSA Collective.

11. The Court will hold a Final Approval Hearing on **April 24, 2024, at 9:30 a.m.** to determine the overall fairness of the settlement and Plaintiff's request for an award of attorney fees and expenses for Class Counsel and a Service Award for Class Representative. **The Final Approval Hearing will be conducted by telephone.** To appear, counsel must call the Court conference line at 1-669-254-5252, enter Meeting ID 160 9600 2659 and Passcode 243805 before the scheduled hearing time. Class Counsel shall submit a Motion for Final Approval on or before April 17, 2024, and shall provide a draft of such Motion to counsel for Defendant at least seven business days before that date.

**SO ORDERED.**

Dated at Milwaukee, Wisconsin on December 20, 2023.

*s/ Brett H. Ludwig*  
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BRETT H. LUDWIG  
United States District Judge