

FILED  
DATE: September 27, 2024  
TIME: 8:27:24 AM  
GUILFORD COUNTY  
CLERK OF SUPERIOR COURT  
BY: P. Williams

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
23 CVS 5934

GUILFORD COUNTY

TIMOTHY MCQUEEN and CARLA  
WALTERS, individually and on behalf of those  
similarly situated,

Plaintiffs,

v.

AUTOMONEY, INC. and AUTO MONEY  
NORTH, LLC,

Defendants.

**ORDER ALLOWING  
JOINT MOTION FOR PRELIMINARY  
APPROVAL OF SETTLEMENT,  
CONDITIONAL CERTIFICATION OF  
SETTLEMENT CLASS, DIRECTING  
NOTICE OF SETTLEMENT TO THE  
CERTIFIED CLASS, AND SETTING A  
FINAL APPROVAL HEARING DATE**

THIS MATTER CAME ON TO BE HEARD and was heard by the undersigned Superior Court Judge on September 25, 2024 on the Motion of Plaintiffs Timothy McQueen and Carla Walters (“Class Representative Plaintiffs”) on behalf of themselves and the members of the certified Settlement Class in this action, jointly with Defendant AutoMoney, Inc. (“AMI”) and Auto Money North, LLC (“AMN”) (“Defendants”) (collectively, the “Parties”), pursuant to Rule 23(c), North Carolina Rules of Civil Procedure, for an for an order preliminarily approving the Class Action Settlement Agreement and setting a Final Approval Hearing.

AND IT APPEARS TO THE COURT as follows:

1. The Parties have agreed to a) an amendment of the Complaint in this civil action to assert class action claims against Defendants for violations of the North Carolina Consumer Finance Act, N.C.G.S. §53-164, *et seq.*, (the NCCFA) and the North Carolina Unfair and Deceptive Trade Practices Act, N.C.G.S. §75-1.1, *et seq.* and, alternatively, for violations of the North Carolina Usury Statute, N.C.G.S. § 24-1.1., *et seq.*; b) subject to Court

approval the designation of the named Plaintiffs as proposed class representatives; and c) subject to the final approval of the Court, the Settlement of all claims in this civil action on a class-wide basis for the benefit of those North Carolina residents who are members of the proposed Settlement Class and who do not opt out of the proposed class action settlement.

2. The Court has conducted an initial assessment of the proposed Settlement based on written submissions from the Parties. The Court has determined that the proposed Settlement is fair and the “result of the result of good-faith bargaining at arm’s length, without collusion.” In re Jiffy Lube Secs. Litig., 927 F.2d 155, 159 (4th Cir. 1991). The Parties and their attorneys have represented that the Settlement Agreement achieves a settlement that is fair, reasonable, adequate, and worthy of judicial approval.
3. The prerequisites to class certification have been met under Rule 23 of the North Carolina Rules of Civil Procedure.
4. The form of the Notice of Settlement to be distributed to Settlement Class members satisfies Rule 23 and due process requirements. The Notice of Settlement provides sufficient details concerning the litigation and sufficient opportunity for Settlement Class members to object or exclude themselves from the class.
5. A Final Fairness Hearing should be held to hear evidence in support of Final Approval of the proposed Settlement.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. The Settlement Agreement is preliminarily approved, subject to a final approval order issued at a Final Fairness Hearing.
2. The Proposed Notice to the Settlement Class is approved.

3. The Court will hold a Final Fairness Hearing on March 6, 2025.

This is the 26th day of September, 2024.



9/26/2024 6:12:37 PM

Superior Court Judge Presiding