

**IN THE UNITED STATE DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MARY HEATHER MCAFEE, ZAHER MURRAY)
and GEORGE WRIGHT, *on behalf of themselves*)
and all similarly situated individuals,)

Plaintiffs,)

v.)

Civil Action No. 3:23-cv-439

MERIDIANLINK, INC.,)

Defendant.)

FINAL APPROVAL ORDER

This matter, having come before the Court on Plaintiffs’ Motion for Final Approval of Class Settlement; the Court having considered all papers filed and arguments made with respect to the settlement, and having personally certified, by Order entered August 2, 2024, a “Settlement Class,” and the Court, being fully advised finds that:

1. Certification for settlement purposes of the Settlement Class, as defined by the Settlement Agreement proposed by the parties in this case (ECF No. 68-1), is appropriate pursuant to Federal Rule of Civil Procedure 23(a) and 23(b). Defined terms used in this Order are those defined in the Settlement Agreement.

2. Notice to the Settlement Class required by Federal Rule of Civil Procedure 23 has been provided in accordance with the Court’s Preliminary Approval Order. This Notice has been given in an adequate and sufficient manner; constitutes appropriate notice under the circumstances; and satisfies Rule 23 and due process.

3. Defendant MeridianLink, Inc. has timely filed notification of this settlement with the appropriate officials pursuant to the Class Action Fairness Act of 2005 (“CAFA”), 28 U.S.C.

§ 1715. The Court has reviewed such notification and accompanying materials and finds that Defendant's notification complies fully with the applicable requirements of CAFA.

4. The Settlement Agreement was arrived at as a result of arm's-length negotiations conducted in good faith by counsel for the parties and is supported by the parties.

5. The settlement as set forth in the Settlement Agreement is fair, reasonable, and adequate to the members of the Settlement Class considering the complexity, expense, and duration of litigation and the risks involved in establishing liability, damages, and in maintaining the class action through trial and appeal. The Settlement Agreement shall therefore be deemed incorporated herein and the proposed settlement is finally approved and shall be consummated in accordance with the terms and provisions thereof.

6. The relief provided under the settlement constitutes fair value given in exchange for release of claims.

7. The parties and each Settlement Class Member have submitted to the jurisdiction of this Court for any suit, action, proceeding, or dispute arising out of the Settlement Agreement.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

This action is a class action against Defendant MeridianLink, Inc., on behalf of a class of consumers that has been defined as follows:

Settlement Class: All natural persons who were the subject: (1) of a consumer report generated through the Defendant's software or otherwise allegedly furnished, assembled, or resold to a third party within the five years before the filing date of the Complaint; (2) where the report or data derived for purposes of populating the report contained a status indicating that the consumer was deceased from the NCRAs; (3) where at least one other NCRA's report/data did not contain a deceased notation; and (4) where the consumer was not deceased at the time the report was issued. The Settlement Class does not include Defendant's officers, directors, and employees, Parties' counsel, any judge overseeing or considering the approval of the Settlement, together with members of their immediate family and any judicial staff.

8. This action is hereby dismissed on the merits, with prejudice and without costs.

9. As agreed by the parties in the Settlement Agreement, upon the Effective Date, the Released Parties shall be released and discharged in accordance with the Settlement Agreement.

10. Neither this Order nor the Agreement shall be construed or used as an admission or concession by or against the Defendant or any of the Released Parties of any fault, omission, liability, or wrongdoing, or the validity of any of the Released Claims. This Order is not a finding of the validity or invalidity of any claims in this lawsuit or a determination of any wrongdoing by the Defendant or any of the Released Parties.


11. Upon consideration of Class Counsel's application for fees and costs and other expenses, the Court awards seven hundred thousand dollars (\$700,000) as reasonable attorneys' fees and reimbursement for reasonable out-of-pocket expenses.

12. Upon consideration of the application for a service award, the Class Representatives, Mary Heather McAfee and George Wright, are each awarded the amount of five thousand dollars (\$5,000.00), for the service each has performed for and on behalf of the Settlement Class.

13. The Court finds, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, that there is no just reason for delay, and directs the Clerk to enter final judgment.

It is so ORDERED.

Date: December 5, 2024
Richmond, Virginia



Roderick C. Young
United States District Judge