

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

<p>In re:</p> <p>PGX HOLDINGS, INC., et al.,</p> <p style="text-align: center;">Debtors. ¹</p>	<p>Chapter 11</p> <p>Case No. 23-10718 (CTG)</p> <p>(Jointly Administered)</p> <p>Re: D.I. 799, 813</p>
<p>KIRSTEN HANSEN on behalf of herself and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>PGX HOLDINGS, INC.; PROGEXION HOLDINGS, INC.; PROGEXION TELESERVICES, INC.; PROGEXION MARKETING, INC.; PROGEXION ASG, INC.; PROGEXION IP, INC.; EFOLKS, LLC; CREDITREPAIR.COM, INC.; CREDIT.COM, INC.; and JOHN C. HEATH, ATTORNEY AT LAW PC,</p> <p style="text-align: center;">Defendants.</p>	<p>Adv. Proc. No. 23- 50396 (CTG)</p> <p>Re: D.I. 78, 79</p>

**ORDER (I) PRELIMINARILY
APPROVING SETTLEMENT, (II) APPROVING CLASS NOTICE,
(III) SCHEDULING FAIRNESS HEARING, AND (IV) GRANTING RELATED RELIEF**

Upon the Joint Motion Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rules 7023 and 9019 submitted by the Plan Administrator of PGX Holdings, Inc., and its subsidiaries, Progexion Holdings, Inc., Progexion Teleservices, Inc., Progexion Marketing, Inc., Progexion ASG, Inc., Progexion IP, Inc., eFolks, LLC, Creditrepair.com, Inc., Credit.Com, Inc., and John C. Heath, Attorney at Law, PLLC (cumulatively, the “Debtors” and after the Effective Date of the Plan, the “Reorganized Debtors” or “Defendants”), on the one



hand, and Kirsten Hansen (the “Plaintiff” and the “Class Representative”), on behalf of herself and all others similarly situated (the “Class Members” or the “Class”), together, for entry of an Order: (i) preliminarily approving the settlement (the “Settlement Agreement”) set forth in the *Findings of Fact, Conclusions of Law, and Order Approving the Debtors’ Disclosure Statement for, and Confirming the Second Amended Joint Plan of PGX Holdings, Inc. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 681] (the “Confirmation Order”), which confirmed the *Second Amended Joint Chapter 11 Plan of PGX Holdings, Inc. and Its Affiliated Debtors Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 570] (as amended, the “Plan”), (ii) approving the form and manner of notice to the members of the Class (as described in the Motion and Settlement Agreement), (iii) scheduling a fairness hearing to consider final approval of the Settlement, the Court finds that:

- A. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
- B. Based on the range of possible outcomes and the cost, delay, and uncertainty associated with further litigation, the Settlement Agreement is reasonable and cost-effective, and preliminary approval of the Settlement Agreement is warranted.
- C. The Settlement Agreement should be preliminarily approved.
- D. Notice to all Class Members by first class mail, postage prepaid, at their last known address as indicated in the parties’ records is reasonable and the best notice practicable under the circumstances and such mailing should be made by Class Counsel within fifteen (15) days following the entry of this Order.
- E. The contents of the Notice of Proposed Settlement and Fairness Hearing (“Class Notice”) meet the requirements of Fed. R. Civ. P. 23(c)(2)(B). The Class Notice states the nature of the actions, and the issues and defenses. The Class Notice also states that the

Settlement Agreement, if approved, will be binding on all Class Members. The Class Notice also summarize the terms of the Settlement Agreement, the right of each Class Member to object to the Settlement Agreement, the right of each Class Member to appear by counsel at the Fairness Hearing, and the fact that more information is available from Class Counsel upon request. Further, the Class Notice informs the Class Members that the Settlement Agreement provides for the release of their Released Claims (as that term is defined in the Settlement Agreement) and the payment of Class Counsel's attorney's fees and costs. See FED. R. CIV. P. 23(h).

F. Other good and sufficient cause exists for granting the relief requested in the Joint Motion.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Motion is **GRANTED**.
2. The Settlement Agreement is hereby preliminarily approved.
3. The form of the Notice of Settlement and the service by Class Counsel via first class mail, postage prepaid, to each Class Member's last known address is hereby approved.
4. The Notice of Settlement shall be mailed by first class mail by Class Counsel, without cost to the Defendants, to Class Members within fifteen (15) days following the entry of this Order.
5. Within five (5) days after the mailing of the Notice of Settlement, Class Counsel will file and serve a statement under oath constituting proof of such mailing.
6. Any Class Member who has not been given the opportunity to opt-out of the class shall be given that opportunity. The deadline to opt-out of the class shall be fourteen (14) days prior to the Final Fairness Hearing.

7. Objections to the final approval of the Settlement Agreement are to be mailed to the Clerk of the Court and mailed to the entities listed in the Notice of Settlement, so that they are received no later than seven (7) days prior to the Fairness Hearing.

8. The Court shall conduct a Fairness Hearing on May 20, 2024 at 12:00 p.m. EST in this Court to consider whether to grant final approval of the Settlement Agreement.

9. This Court retains jurisdiction to construe, interpret, enforce, and implement the Settlement Agreement and this Order.



Dated: April 4th, 2024
Wilmington, Delaware

CRAIG T. GOLDBLATT
UNITED STATES BANKRUPTCY JUDGE