

COMMONWEALTH OF KENTUCKY
HENDERSON CIRCUIT COURT
CIVIL ACTION NO. 24-CI-00062
ELECTRONICALLY FILED

BROOKE KINGSTON,
on behalf of himself and all others similarly situated,

PLAINTIFF,

v.

SPINX GAMES LTD.,

DEFENDANT.

[PROPOSED] AGREED ORDER EXTENDING DEADLINES

WHEREAS, the above-captioned matter came before this Court upon the Parties' Joint Motion to Extend Deadlines. Based upon the motion and all the files and proceedings herein, IT IS HEREBY AGREED AND ORDERED as follows:

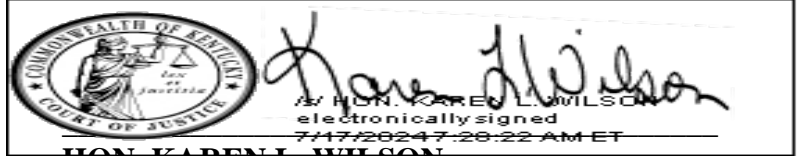
1. The Court adopts the following revised dates and deadlines to replace the corresponding dates in the Preliminary Order Approving Class Action Settlement, Certifying the Class for Settlement Purposes, Approving Notice Plan, Appointing Class Representative, and Appointing Class Counsel ("Preliminary Approval Order") previously entered by this Court on August 15, 2023. Other than these revised dates, the Preliminary Approval Order remains in effect, unchanged, in all respects:

- a. The deadline for the Settlement Administrator to disseminate class notice pursuant to Settlement Agreement § 4.2 shall be September 25, 2024. Settlement Administrator shall send Reminder Notice via email both thirty (30) days prior to the Claims Deadline and seven (7) days prior to the Claims Deadline. Settlement Administrator shall provide Notice on the settlement website no later than seven (7) days after entry of Preliminary Approval.

- b. The deadline for any Settlement Class Member to submit claims shall be February 20, 2025, which is no fewer than fifty-six (56) days following the rescheduled Final Approval Hearing.
- c. Any Settlement Class Member wishing to be excluded from the Settlement Class shall have until November 12, 2024 to do so, which is no more than 45 days after the dissemination of the class notice and claims forms but no sooner than 14 days after Class Counsel submits papers supporting a Fee Award.
- d. Any Settlement Class Member wishing to object to the terms of the Settlement Agreement shall have until November 12, 2024 to do so, which is no more than 45 days after the dissemination of the class notice and claims forms but no sooner than 14 days after Class Counsel submits papers supporting a Fee Award.
- e. Class Counsel shall file their memorandum of points and authorities in support of their motion for approval of attorneys' fees, costs, and expenses no later than October 28, 2024 (*suggested date 14 days prior to the Objection/Exclusion Deadline*).
- f. Class Counsel shall file a memorandum of points and authorities in support of the final approval of the Settlement Agreement no later than December 9, 2024, more than fourteen (14) days prior to the Final Approval Hearing.
- g. The final settlement approval fairness hearing on the question of whether the proposed Settlement Agreement, attorneys' fees to Class Counsel, and the Settlement Class Representative's Incentive Award should be finally approved as fair, reasonable and adequate as to the members of the Settlement Class shall be

rescheduled from September 16, 2024, at 9:00 a.m. local time to January 13, 2025,
at 9:00 a.m. local time.

SO ORDERED this _____ day of _____, 2024.



HON. KAREN L. WILSON
Henderson County Chief Circuit Judge

HAVE SEEN AND AGREED:

/s/ Timothy J. Weatherholt, with permission
 Timothy J. Weatherholt (tweatherholt@fisherphillips.com)
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 Lexington, KY 40507
 (859) 225-3731
Counsel for Plaintiff and the Settlement Class

CERTIFICATE OF CLERK

I hereby certify that a copy of the foregoing was served on the following on this _____
day of _____, 2024:

Philip G. Fairbanks (pgf@austinmehr.com)
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CLERK, HENDERSON CIRCUIT COURT

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