

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CONNIE SELLERS AND SEAN COOPER,
INDIVIDUALLY AND AS THE
REPRESENTATIVES OF A CLASS OF
SIMILARLY SITUATED PERSONS, AND
ON BEHALF OF THE BOSTON COLLEGE
401(K) RETIREMENT PLAN I AND THE
BOSTON COLLEGE 401(K) RETIREMENT
PLAN II,

Plaintiffs,

V.

TRUSTEES OF BOSTON COLLEGE, PLAN
INVESTMENT COMMITTEE, and JOHN and
JANE DOES 1-10,

Defendants.

Civil Action No.: 22-cv-10912-WGY

FINAL APPROVAL ORDER AND JUDGMENT

This matter is before the Court on Plaintiff's Assented-To Motion for Final Approval of Class Action Settlement (the "Motion for Final Approval"). 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, ADJUDGED, AND DECREED AS FOLLOWS:

1. On May 19, 2023, this Court issued an order (ECF No. 46) granting the Named Plaintiffs' Assented-To Motion for Class Certification, pursuant to the Parties' stipulation as to four subclasses ("Subclasses"), defined as follows: (i) on behalf of Plan I, all participants of Plan I, except Defendants and their immediate family members, between June 10, 2016 through the date of judgment as to all claims alleging excessive recordkeeping expenses; (ii) on behalf of Plan I, all participants of Plan I except Defendants and their immediate family members, between June 10, 2016 through the date of judgment as to all claims alleging imprudent investment

decisions; (iii) on behalf of Plan II, all participants of Plan II, except Defendants and their immediate family members, between June 10, 2016 through the date of judgment as to all claims alleging excessive recordkeeping expenses; (iv) on behalf of Plan II, all participants of Plan II except Defendants and their immediate family members, between June 10, 2016 through the date of judgment as to all claims alleging imprudent investment decisions. The Court appointed Plaintiff Connie Sellers as representative for all four Subclasses and Plaintiff Sean Cooper as representative for Subclasses (i), (ii), and (iii). The Court appointed Stephen Churchill and Osvaldo Vazquez as Class Counsel for the Subclasses.

2. On September 19, 2024, the Court, having reviewed the proposed Settlement Agreement and Release of Claims (“Settlement”) issued an Order granting preliminary approval of the Settlement and authorizing the issuance of a Settlement Notice to the Subclasses. The Settlement Notice, the final version of which is attached to the Motion for Final Approval as Exhibit 3, was duly issued by the Settlement Administrator on October 24, 2024. The Court now finds that the content and distribution of the Settlement Notice provided fair and sufficient notice of the Settlement, satisfied the requirements of Fed. R. Civ. P. 23, and provided due process.

3. The form of notice under the Class Action Fairness Act of 2005 (“CAFA”), attached to the Settlement as Exhibit 4, complied with the requirements of CAFA and was duly issued, discharging the Defendants’ obligations under CAFA.

4. The Court finds that the Settlement is fair, reasonable, and adequate. More specifically, the Court finds that (a) the Named Plaintiffs and Class Counsel have adequately represented the Subclasses; (b) the Settlement was negotiated at arm’s length; (c) the relief provided to the Subclasses is adequate taking into account: (i) the burden, expense, risks, and delay of trial and appeal, (ii) the effectiveness of the proposed method of distributing relief to the

Subclasses, (iii) the terms of the proposed award of attorneys' fees, including the time of payment, and (iv) the absence of any agreement required to be identified under Fed. R. Civ. P. 23(e)(3). The Court further finds that the Settlement treats class members equitably relative to each other.

5. The Court awards Class Counsel an award of attorneys' fees and litigation costs in the amount of \$110,000, for substantially the reasons set forth in the Plaintiffs' Unopposed Motion for Award of Attorney's Fees and Litigation Costs.

6. The Court awards the two Named Plaintiffs, Connie Sellers and Sean Cooper, service awards in the amount of \$2,500 each.

7. The Court has duly considered and overrules any objections to the Settlement.

8. The Court otherwise approves the terms and provisions of the Settlement and orders that the Settlement be consummated and implemented in accordance with its terms.

9. This Action is hereby dismissed with prejudice and without costs to any parties, other than as expressly provided for in the Settlement.

10. The Court shall retain jurisdiction to resolve any disputes, challenges, or other issues that might arise as to the Settlement.

IT IS SO ORDERED.

Dated: February 11, 2025

/s/ William G. Young
United States District Judge