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IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
TRIAL DIVISION - CIVIL

NICK A. CONTI, INDIVIDUALLY AND : FEBRUARY TERM, 2021  
ON BEHALF OF A CLASS OF :  
SIMILARLY SITUATED PERSONS, : NO. 01413

Plaintiff, : CLASS ACTION

v. : Control No. 24115241

THE GENERAL AUTOMOBILE :  
INSURANCE SERVICES, INC., and :  
THE PERMANENT GENERAL :  
ASSURANCE CORPORATION OF OHIO, :

Defendants. :

DOCKETED

FEB 13 2025

R. POSTELL  
COMMERCE PROGRAM

**CLASS ACTION SETTLEMENT  
PRELIMINARY APPROVAL ORDER**

AND NOW, this 13<sup>th</sup> day of February, 2025, upon consideration of plaintiffs' unopposed Motion for Preliminary Approval of Class Action Settlement, the Class Action Settlement Agreement (the "Settlement Agreement") attached to the Motion as Exhibit 1, and the Notices and Claim Form attached to the Settlement Agreement as Exhibits 1A and 1B, it is hereby **ORDERED and DECREED** that the Motion is **GRANTED**, the class settlement is preliminarily approved, and:

1. The following class (the "Settlement Class") of approximately 93 people is certified, pursuant to Pennsylvania Rules of Civil Procedure 1708-1710, for the sole purpose of settlement:

All persons (a) who sustained injury in a motor vehicle accident; (b) who were insureds under a policy issued by The General Automobile Insurance Services, Inc., The Permanent General Assurance Corporation of Ohio, or Permanent General Assurance Corporation (collectively "The General") that originally provided unstacked uninsured and/or underinsured motorist benefits; (c) where a new vehicle was added to the policy by

ORDER-Conti Vs The General Automobile Insurance Services [RCPI



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endorsement, i.e. Amended Declarations Pages, not by operation of any “Additional Acquired Auto” or “Newly Acquired Vehicle” clause; (d) where that person made a claim under The General policy for recovery of uninsured and/or underinsured motorist benefits; (e) where The General did not obtain a new Waiver of Stacked Uninsured and/or Underinsured Motorist Coverage; and (f) where The General refused to provide stacked coverage.

2. The law firms of Shub Law Firm LLC, Haggerty, Goldberg, Schleifer, & Kupersmith, P.C., and Schmidt Kramer, P.C. shall serve as Class Counsel and, as such, shall represent the interests of plaintiffs and all Settlement Class members in all future proceedings.

3. Plaintiff Nick A. Conti is appointed as Class Representative of the Settlement Class defined in paragraph 1 above.

4. KCC LLC is appointed as the “Settlement Administrator” to perform the functions outlined in Paragraph 4.5 of the Settlement Agreement. By accepting this appointment, the Settlement Administrator subjects itself to this Court’s jurisdiction. Pursuant to the Settlement Agreement, the cost of the Settlement Administrator’s services shall be paid by The General.

5. Philip M. Hof, Esquire of ADR Options, Inc. is appointed as the Special Master to decide any appeals from The General’s evaluations of Class Members’ claims. By accepting this appointment, Mr. Hof subjects himself to this Court’s jurisdiction.

6. On or before February 24, 2025, The General shall provide to the Settlement Administrator the contact information for the Settlement Class members as set forth in Paragraph 2.14 of the Settlement Agreement.

7. The Notice of Proposed Class Action Settlement attached to the Motion as Exhibit 1A is approved as to form, except that Paragraph 7 of that Notice shall be modified to read as follows:

**7. CAN I OBJECT TO THE SETTLEMENT AND/OR PARTICIPATE IN THE FAIRNESS HEARING?** Anyone who objects to the Settlement, the Settlement Agreement, the application for attorneys’ fees, or other matters to be considered at the

Fairness Hearing should mail a written Objection to the Settlement Administrator at KCC LLC, P.O. Box \_\_\_\_\_, postmarked no later than December 5, 2025.

In the Objection, the objecting class member should: (a) attach documents to establish, or provide information sufficient to allow the Parties to confirm, that the objector is a Class Member; (b) include a statement of such Class Member's specific Objection; (c) state the grounds for the Objection; (d) identify and attach any documents such objector wants the Court to consider.

8. The Claim Form and Follow Up Class Settlement Notice attached to the Motion as Exhibit 1B are approved as to form.

9. On or before March 26, 2025, the Settlement Administrator shall mail and email the revised Notice of Proposed Class Action Settlement and the Claim Form to the Settlement Class members in the manner described in Paragraphs 2.14 and 6.5 of the Settlement Agreement.

10. Any requests for exclusion from the settlement should be mailed by the Settlement Class members to the Settlement Administrator and postmarked no later than May 12, 2025.

11. On or before May 22, 2025, the Class Administrator shall mail and email the Follow Up Class Settlement Notice and Claim Form to those Settlement Class members who did not request to be excluded from the class.

12. To qualify for benefits from the Settlement, each Settlement Class member must mail to the Settlement Administrator, or electronically submit via the Class website, a completed Claim Form on or before July 7, 2025.

13. Any objections to the settlement should be mailed by the Settlement Class members to the Settlement Administrator postmarked no later than December 5, 2025. Class Counsel shall file copies of any such objections of record in connection with the motion for final approval of the settlement.

14. On or before January 20, 2026, Class Counsel shall file a motion for final approval of the settlement, which shall include: an affidavit regarding the sending of notice; a list of class

members who requested exclusion from the settlement; the number of class members who submitted valid claim forms and the total amount of claims to be paid if the settlement is finally approved; the number of class members who appealed the evaluation of their claims and the outcomes of those appeals; a list of the class members who objected to the settlement, copies of all objections received, the parties' responses to any objections; and support for the requested attorney's fees, incentive award, and litigation expenses to be paid in connection with the settlement.

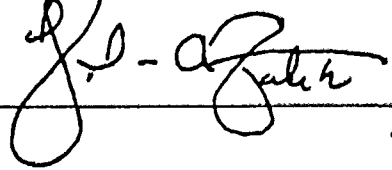
15. A virtual Final Approval Hearing will be conducted on January 27, 2026, at 10:00 a.m. through the following Zoom link:

<https://zoom.us/j/2031203072?pwd=Z3VhaDdGREezY2IST0FWNDh4ZkNSZz09>

At the Final Approval Hearing, the Court will consider the parties' arguments in favor of final approval of the settlement, will consider any objections, and will hear argument from any individual who wishes to be heard.

16. The Court may continue the Final Approval Hearing without further written notice to the class members, but the Settlement Administrator must provide notice of any rescheduled hearing date to any Settlement Class member who filed an objection.

BY THE COURT:

  
\_\_\_\_\_ J.