

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

**Jerry Williams and Larry Whitehead,)
Individually and on Behalf of All Others)
Similarly Situated; and Stewart F. Cooke, III,)
as Special Representative of the Estate of)
Stewart Cooke,)**

Plaintiffs,)

v.)

**Retirement Plan for Chicago)
Transit Authority Employees;)
Board of Trustees of the)
Retirement Plan for Chicago)
Transit Authority Employees;)
Retiree Health Care Trust; and)
Board of Trustees of the)
Retiree Health Care Trust,)**

Defendants.)

**Case No. 11-CH-15446
Calendar 9**

Hon. Cecilia A. Horan

**PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiffs Jerry Williams (“Williams”) and Larry Whitehead (“Whitehead”), individually and on behalf of all others similarly situated, through their attorneys Robinson Curley P.C. (“Class Counsel”), pursuant to 735 ILCS 5/2-806, respectfully request that the Court enter orders that: (i) grant final approval of the Settlement reflected in the Class Action Settlement Agreement (the “Agreement”), a copy of which is attached to the Memorandum in Support of this Motion as Exhibit 1; and (ii) approves the Plan of Distribution by which Class Member Claims are calculated and the Settlement proceeds are distributed to Class Members.

Under the proposed Settlement, Defendants’ have agreed to make a non-reversionary payment of \$80,000,000 in cash for the benefit of the Class and to provide anti-discrimination protection going forward, in exchange for a release of all claims of the Class Members asserted in

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this case against Defendants. For all of the reasons set forth in Plaintiffs’ Memorandum in Support of Motion for Final Approval of Class Action Settlement (“Memorandum”), the Settlement clearly meets the well-settled standard for final approval under Illinois caselaw, including satisfying all of the factors set forth in *City of Chicago v. Korshak*, 206 Ill. App. 3d 968 (1st Dist. 1990), and should be approved.

Similarly, for the reasons set forth in the Memorandum, the Plan of Distribution meets the applicable standard of being a fair and adequate method for distributing the Settlement Amount to Class Members, and should be approved.

In support of this Motion, Plaintiffs respectfully submit the Memorandum and the Exhibits thereto, including the Declaration of C. Philip Curley (“Curley Dec.”), the Declaration of Scott M. Fenwick (“Kroll Dec.”), and the Declaration of Jerry Williams (“Williams Dec.”), all of which are expressly incorporated in this Motion.

WHEREFORE, Plaintiffs respectfully request that the court enter orders granting final approval of the Settlement and Plan of Distribution. Draft orders will be provided with Plaintiffs’ reply brief, due October 9, 2023.

Date: September 11, 2023

Respectfully submitted,

**Jerry Williams and Larry Whitehead,
Individually and on Behalf of All Others
Similarly Situated**

By: /s/ C. Philip Curley
One of Plaintiffs’ Attorneys

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CERTIFICATE OF SERVICE

The undersigned certifies that on September 11, 2023, I caused copies of the attached **Plaintiffs' Motion for Final Approval of Class Action Settlement** to be served by e-mail on the following:

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/s/ C. Philip Curley
One of Plaintiffs' Attorneys