

JONES WOLF & KAPASI, LLC  
Joseph K. Jones, Esq. (ID No: 002182006)  
375 Passaic Avenue, Suite 100  
Fairfield, New Jersey 07004  
(973) 227-5900 telephone  
(973) 244-0019 facsimile

*Attorneys for Plaintiffs: LESLEY MCCARTHY, KIM KENNEDY, and KIMBERLEY CLARK, and the putative class*

**FILED**

**DEC 15 2017**

**KENNETH J. GRISPIN, P.J.Cv.**

LESLEY MCCARTHY, KIM KENNEDY, and  
KIMBERLEY CLARK, on behalf of themselves and  
all others similarly situated,

Plaintiff,

-against-

EQUINOX HOLDINGS, INC., JOHN DOES 1-25,

Defendant.

SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY – LAW DIVISION

CIVIL ACTION

Docket No.: UNN-L-0789-15

**ORDER GRANTING THE JOINT  
MOTION FOR FINAL APPROVAL OF  
CLASS SETTLEMENT**

**THIS MATTER**, having been opened to the court by, Jones, Wolf & Kapasi, LLC and LaRocca, Hornik, Rosen, Greenberg & Blaha, L.L.P, the attorneys for all parties in this matter, appearing to certify the proposed class pursuant to R. 4:32-1 via a Joint Motion for Final Approval of Class Settlement; approving the proposed Settlement Agreement; appointing Plaintiffs as representative of the class; appointing Plaintiffs' attorneys Joseph K. Jones, Esq., of Jones, Wolf & Kapasi, LLC, as class counsel; and the Court having reviewed the moving papers, and the Court having heard the argument of counsel, if any; and for good cause having been shown;

**IT IS** on this 15<sup>th</sup> day of December, 2017,

**ORDERED**, that

1. The Joint Motion for Final Approval of Class Settlement is granted.
2. Certifying the proposed Class for settlement purposes pursuant to R. 4:32-1 consisting of:

All New Jersey consumers who, at any time on or after the day that is six (6) years prior to March 6, 2015 to October 27, 2017, enrolled in a membership at and/or for use at either of the two Equinox fitness clubs located in New Jersey (Summit or Paramus, NJ), where the Membership Agreement used to enroll that person was the same as and/or substantially

similar to the Membership Agreement that Equinox used in its respective transactions with the named Plaintiffs.

Specifically excluded from the Class is any judge or magistrate involved in this matter.

3. Approving the proposed Settlement Agreement annexed to the Certification of Joseph K. Jones, Esq., as Exhibit A.
4. Appointing Plaintiffs as class representatives.
5. Appointing Plaintiffs' attorneys, Joseph K. Jones, Esq., and Benjamin J. Wolf, Esq., as class counsel.
6. Approving the incentive award of \$5,000 to each named Plaintiff.
7. Approving the award of attorney's fees and costs in the amount of \$154,600.00 to Jones, Wolf & Kapasi, LLC.

**IT IS FURTHER ORDERED** that a copy of this Order shall be served upon all Counsel within seven (7) days from the date hereof.

  
\_\_\_\_\_  
HON.

**KENNETH J. GRISPIN, P.J. CV**

\_\_\_\_ Opposed

Unopposed