

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

ANTHONY SOS,

Plaintiff,

v.

Case No: 6:17-cv-890-PGB-LRH

**STATE FARM MUTUAL
AUTOMOBILE INSURANCE
COMPANY,**

Defendant.

_____ /

ORDER

This cause is before the Court upon Plaintiff's Unopposed Request for Entry of Final Judgment. Upon consideration of the Request for Entry of Final Judgment, and noting that Defendant raises no objections, the Court enters the following Final Judgment:

WHEREAS this Court on March 13, 2019, entered an Order granting summary judgment in favor of Plaintiff on his individual breach of contract claim (Doc. 159); and

WHEREAS this Court on May 2, 2019, entered an Order pursuant to FED. R. Civ. P. 23(c)(1) certifying the Plaintiff's proposed class of Florida first-party total loss leased vehicle insureds (Doc. 181); and

WHEREAS this Court on August 30, 2019 entered an Order pursuant to FED.

R. Civ. P. 23(c)(2)(B)(i)–(vii) approving the form and method of Notice to Class Members (Doc. 194); and

WHEREAS Class Notice was made on November 13, 2019, pursuant to Fed. R. Civ. P. 23(c)(2)(B) and in accordance with the Court’s May 18, 2018, Order (Doc. 197); and

WHEREAS, the Court on April 8, 2020, entered an Order denying the Motion to Decertify the Class (Doc. 213); and

WHEREAS, on July 8, 2020, the Court entered an Order granting summary judgment in favor of the certified Class on entitlement to and the measure of damages (Doc. 213);

WHEREAS, on March 19, 2021, the Court awarded attorneys’ fees of \$4,198,556.50, plus prejudgment interest accruing thereon, and taxable costs of \$11,235.43 (Doc. 256); and

WHEREAS, State Farm has already paid or tendered damages of \$4,599,479.62 to Class Members; and

WHEREAS, on April 19, 2021, Plaintiff filed the Proposed Judgment, including a list of all judgment class members and individual damages calculations as to each; and

WHEREAS, State Farm did not contest the form of the judgment nor that the damages computation accurately calculated the measure of damages awarded by this Court in its July 8, 2020 Order, but reserved and did not waive any rights

on appeal to contest the substance of the judgment as well as all other orders entered in this case.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Judgment is hereby entered in favor of Plaintiff, individually and as the representative of a class of similarly situated persons, and against Defendant, Defendant State Farm Mutual Insurance Company.
2. Pursuant to Federal Rule of 23(c)(3)(B), the class consists of those 3,223 persons identified in Exhibit A of the Notice of Filing Proposed Judgment (Doc. 260-1), to whom notice was directed and who did not request to be excluded from the Class. This judgment excludes and does not bind any persons beyond Plaintiff Anthony Sos and the 3,223 persons identified in Exhibit A (Doc. 260-1).
3. Defendant State Farm Mutual Insurance Company shall pay damages to the class members in accordance with the damages allocations set forth in Column F of Exhibit A (Doc. 260-1) to the Request for Entry of Judgment.
4. The Court's Order awarding attorneys' fees and costs (Doc. 239) merges with and is incorporated into this Final Judgment.
5. This Final Judgment incorporates all previous orders in this case. Defendant State Farm Mutual Insurance Company's agreement to the form of this Final Judgment shall not be construed as a waiver of Defendant's right to appeal.

6. This Final Judgment is final and appealable pursuant to 28 U.S.C. § 1291.
7. The clerk is **DIRECTED** to enter judgment accordingly and thereafter **CLOSE** the case.

DONE AND ORDERED in Orlando, Florida on April 21, 2021.



PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties