

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARY K. BOLEY, KANDIE SUTTER,	:	
and PHYLLIS JOHNSON, Individually	:	
and as representatives of a class of	:	
similarly situated persons, on behalf of	:	
the UNIVERSAL HEALTH SERVICES,	:	CIVIL ACTION
INC. RETIREMENT SAVINGS PLAN	:	
	:	
	:	
v.	:	NO. 20-2644
	:	
UNIVERSAL HEALTH SERVICES,	:	
INC.; THE UHS RETIREMENT PLANS	:	
INVESTMENT COMMITTEE; and	:	
DOES No. 1-10, Whose Names Are	:	
Currently Unknown	:	

**ORDER**

AND NOW, this 30<sup>th</sup> day of March 2023, upon considering Lead Plaintiffs Mary K. Boley’s, Kandie Sutter’s, and Phyllis Johnson’s unopposed Motion for final approval of a class settlement and dismissal of the Class Action (ECF Doc. No. 119), Motion for an award of attorneys’ fees, attorneys’ expenses, and case contribution awards (ECF Doc. No. 120), Independent Fiduciary Report (ECF Doc. No. 123), Memorandum resolving objections (ECF Doc. No. 124), Attorney Declarations of Laurie Rubinow, James C. Shah, and Mark Gyandoh (ECF Doc. Nos. 119-2, 119-4, 120-2, 120-3), Declaration of Strategic Claims Services Project Manager Cornelia Vieira (ECF Doc. No. 119-3), after argument during our noticed Hearing on Final Approval including answering questions from one present Class Member, resolving objections (ECF Doc. Nos. 117, 118), and based upon our specific Findings accompanying this Order, it is **ORDERED**:

1. We **GRANT** Plaintiffs’ unopposed Motion (ECF Doc. No. 119) for Final Approval of the Settlement approving the Settlement Agreement (ECF Doc. No. 110-3) as fair,

reasonable and adequate to the Plan and the Class, and the Settling Parties are directed to take the necessary steps to effectuate the terms of the Settlement Agreement;

2. We **GRANT** Plaintiffs' unopposed Motion (ECF Doc. No. 120) for attorneys' fees, expenses, and case award contributions requiring the Settlement Administrator (ECF Doc. No. 114) distribute in accord with the approved Settlement Agreement:

a. Class Counsel's reasonable attorney's fees of \$4,166,666.67 plus reimbursement of demonstrated expenses of \$300,000;

b. A case contribution award of \$8,000 to Mary K. Boley and \$7,000 to Kandie Sutter, and Phyllis Johnson.

3. The Settlement Administrator will fulfill its contracted obligations to the Defendant and be paid by the Defendant without impacting its obligations under the Settlement Agreement, Plan of Allocation, or this Order.

4. All claims are **DISMISSED** with prejudice and released in accord with the Settlement Agreement.

5. We enter **JUDGMENT** on all claims, counts, and causes of action alleged in the Class Action **in favor of the Plaintiffs and against the Defendant** in accord with the approved Settlement Agreement without admission of liability.

6. All Settling Parties, the Settlement Class, and the Plan shall be bound by the Settlement Agreement and this Final Approval Order.

7. The Clerk of Court shall **close** this case.

  
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**KEARNEY, J.**