

STATE OF MINNESOTA
COUNTY OF OLMSTEDDISTRICT COURT
THIRD JUDICIAL DISTRICT
Case Type: Class Action

Jacquelen Pegram, Camile Smisek, and Linda Medes, on their own behalf and on behalf of a class of all others similarly situated,

Court File No. 55-cv-23-8624

Plaintiffs,

v.

**FINAL JUDGMENT AND ORDER
APPROVING CLASS ACTION
SETTLEMENT**

Sun Communities, Inc., d/b/a Southern Hills/Northridge Place Community,

Defendant.

This action was originally commenced in this Court on or about December 21, 2023 asserting three counts against Defendants for (i) violation of Minnesota's Uniform Deceptive Trade Practices Act (Minn. Stat. §§ 325D.43-48); (ii) violation of Minnesota's Consumer Fraud Statute (Minn. Stat. § 325.69); and (iii) unjust enrichment.

This matter came to be heard before the undersigned on the 6th day of January 2026, on the motion of Plaintiffs for final approval of the class action settlement, for an award of attorneys' fees and expenses, and for lead Plaintiffs' service awards, entered into between the parties to the action. Defendant did not oppose the motion.

The Court, having heard all persons properly appearing and requesting to be heard; having excluded all persons from the Class who requested proper exclusion from the Class; having considered the papers submitted in connection with the proposed settlement, the files and records in this matter and the oral presentations of counsel for the parties and any objectors; having considered all applicable law; and having considered any objections properly made to the proposed

settlement, finds that there is no just reason for delay of the entry of this Final Judgment and Order Approving Settlement.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. The Court finds that the Class meets all of the requirements of Rule 23 of the Minnesota Rules of Civil Procedure with the Class defined as all current and former Southern Hills/Northridge Place Community residents who were charged excessive late fees, pet fees, and/or delinquency fees for the period beginning six years prior to the commencement of the litigation and ending on February 24, 2025. Specifically, for purposes of the proposed settlement, the Court finds (1) the Class is so numerous that joinder of all members is impracticable, (2) there are questions of law or fact common to this Class, (3) the claims of the representative parties are typical of the claims of the Class, and (4) the representative parties have protected fairly and adequately the interests of the Class. The Court further finds that questions of law or fact common to the members of the Class predominate over any questions affecting only individual members, and that this class action is superior to other available methods for the fair and efficient adjudication of the controversy.

2. The settlement is fair, adequate, and reasonable based on the Court's consideration of the following factors:

- a. The settlement was negotiated at arms' length and with the assistance of mediator and retired Minnesota Supreme Court Justice James H. Gilbert;
- b. the complexity, expense, and likely duration of the litigation;
- c. the state of the proceedings, including the status of discovery;
- d. the factual and legal obstacles that could prevent the Plaintiffs from prevailing on the merits;
- e. the possible range of recovery and the certainty of damages; and

f. the respective opinions of the participants, including class counsel, class representatives, and the absent class members.

3. Lead Plaintiffs fairly and adequately represent the interests of the Class, and may, for settlement purposes, serve as the Class representatives.

4. The mailed notices satisfy due process and Rule 23 of the Minnesota Rules of Civil Procedure.

5. Class counsel received a total of 0 opt-outs from class members.

6. The settlement between the Class and Defendant is fair, reasonable, adequate and proper as to each member of the Class and in the best interest thereof. The comments and any objections received have been considered, and are deemed to be without merit and do not warrant the denial of the motion to finally approve the settlement.

7. The Stipulation of Class Action Settlement (“Stipulation”) entered into between the parties and preliminarily approved by the Court on September 12, 2025 is hereby approved in its entirety, and all term and conditions of the Stipulation are hereby incorporated by reference into this Order.

8. All claims in this litigation are dismissed on the merits and with prejudice. All relief not granted is denied. Each member of the Class who has not timely and properly excluded himself from the Class pursuant to this Agreement, is permanently enjoined from bringing, joining or continuing to prosecute against Defendant or the Released Parties (as set forth in the Stipulation) any claim that was, could have been or may be brought in this action or otherwise, or the Released Claims for which a release and covenant not to sue is given in the Stipulation.

9. The Court directs that counsel for the Class shall receive the sum of \$56,666.67 in fees and \$28,934.57 in litigation costs to be paid in accordance with the terms of the Stipulation.

10. The Court directs that the Lead Plaintiffs will each receive the sum of \$3,500 as a class representative award.

11. The Court hereby retains jurisdiction of all matters relating to the interpretation, administration, implementation, effectuation, and enforcement of the Stipulation between the parties.

12. The Court hereby approves Southern Minnesota Regional Legal Services, Inc. at 450 N. Syndicate St., Ste. 260 St. Paul, MN 55104 as the recipient of any cy pres award.

IT IS SO ORDERED. LET JUDGEMENT BE ENTERED ACCORDINGLY.

Signed this date _____, 2026

Christa Daily, District Judge

The Court Administrator hereby certifies that the findings and order are officially entered.

Signed this date _____, 2026

Hans Holland
Court Administrator
Olmstead County District Court