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**COMMONWEALTH OF MASSACHUSETTS**

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT

DENNIS CALLAHAN, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

Civil Action No. 2381CV00604

PROGRESS SOFTWARE CORPORATION,

Defendant.

**ORDER**

Plaintiff Dennis Callahan (the "Plaintiff") has filed a Motion for Preliminary Class Action and Collective Action Settlement Approval (the "Motion"), assented to by Defendant Progress Software Corporation (the "Defendant") (all together, the "Parties"). In the Motion, Plaintiff requests an order preliminarily approving the proposed settlement of the above-captioned action (the "Lawsuit") on a class and collective basis in accordance with the Parties' Stipulation of Settlement and Release (the "Agreement"). Having reviewed the Motion, the Agreement, the proposed settlement notice packet (the "Notice"), and all other materials and authorities submitted by the Parties, the Court hereby FINDS and ORDERS that:

1. The terms defined in the Agreement are hereby incorporated by reference. All capitalized terms shall have the same meaning as those used in the Agreement, unless otherwise specified.
2. This Court has jurisdiction over the subject matter of the Lawsuit and all Parties in this proceeding, including the administration of the Parties' proposed settlement and all Class Members and Putative Non-Massachusetts Collective Members.

3. The Court finds that conditional certification of the class is warranted under Massachusetts Rule of Civil Procedure 23 because the proposed class meets Rule 23 requirements: numerosity, commonality, typicality, and adequacy. Thus, the Court **GRANTS** conditional certification of the class action for settlement purposes only.

4. The Court finds that the Agreement is fair, reasonable, and adequate, and within the range of possible approval, subject to further consideration at a final fairness hearing as set forth below. Accordingly, the Court **GRANTS** preliminary approval of the settlement, on the terms set forth in the Agreement.

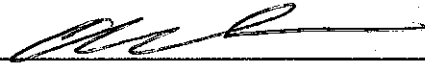
5. The Parties and their respective counsel are hereby authorized to take all appropriate action required or permitted to be taken pursuant to the Agreement to effectuate its terms.

6. This Court finds that the Notices and notice processes proposed by the Parties satisfy the requirements of due process, the Massachusetts Rules of Civil Procedure, and constitute the best notice practicable under the circumstances. The Court hereby approves the form and content of the Notices and authorizes the Parties to issue the Notices in the manner set forth in the Agreement and sets the Objection Deadline for September 5, 2023, subject to extension for re-mailed Notices. 098

7. The final fairness and approval hearing shall take place before this Court on November 1, at 2:30 p.m. <sup>in Room 620, D Session.</sup> At that hearing, the Court shall determine whether the proposed settlement of the Lawsuit on the terms provided for in the Agreement is fair, reasonable, and adequate as to the Class Members and Participating Collective Members and should be approved; whether the Lawsuit should be dismissed with prejudice on the terms provided for in the Agreement; the amount of fees and costs that should be awarded to Class Counsel; and the amount of the service award that should be awarded to Plaintiff, as provided for

in the Agreement. The Court will also hear and consider any properly lodged objections at that time.

SO ORDERED.

  
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Justice of the Superior Court  
*Christopher K. Berry*

Date: 4/13/, 2023.