

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SCOTT WALTERS and TYLER
WALTERS, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

BUREAU VERITAS NATIONAL
ELEVATOR INSPECTION SERVICES,
INC.,

and

BUREAU VERITAS CERTIFICATION
NORTH AMERICA, INC.,

Defendants.

Case No.: 1:25-cv-00193

Hon. Jennifer P. Wilson, U.S.D.J.

ELECTRONICALLY FILED

**ORDER GRANTING PLAINTIFF’S UNOPPOSED MOTION TO DIRECT
CLASS NOTICE AND GRANT
PRELIMINARY APPROVAL OF CLASS AND COLLECTIVE
SETTLEMENT**

AND NOW, this 23rd day of February, 2026, upon consideration of Plaintiffs’ Unopposed Motion to Direct Class Notice and Grant Preliminary Approval of Class and Collective Settlement, the Court grants Plaintiffs’ Motion and ORDERS as follows:

1. The Court grants approval to the terms and conditions set forth in the Parties’ Settlement Agreement and Release (the “Settlement Agreement”). Unless

otherwise defined herein, all terms used in this Order (the “Preliminary Approval Order”) will have the same meaning as defined in the Settlement Agreement.

2. The Court finds on a preliminary basis that the settlement memorialized in the Settlement Agreement and filed with the Court falls within the range of reasonableness and, therefore, meets the requirements for preliminary approval as defined by **Federal Rule of Civil Procedure 23(e)**.

3. Specifically, the Court finds it will “likely be able to . . . approve the proposal under Rule 23(e)(2)” in light of (i) the class representatives’ and class counsel’s work on behalf of the class; (ii) that the proposal was reached at arm’s length with the help of a private mediator (Carole Katz, Esq.); (iii) the relief provided to the class being adequate (particularly when measured against the costs, risk, and delay of trial and appeal, the effectiveness of distributing the settlement fund to class members, the terms of the attorneys’ fee provision, and that no agreement exists between the parties other than the Settlement Agreement); and (iv) class members are treated equitably by the proposed allocation of the Net Settlement Fund amongst the FLSA Class Members and Rule 23 Class Members participating in this settlement.

4. The Court grants preliminary approval of the parties’ Settlement Agreement.

5. The Court certifies, for settlement purposes only, the following settlement class as a collective action pursuant to the Fair Labor Standards Act (“FLSA”):

a. The “Potential FLSA Class”:

All Elevator Inspectors employed by Bureau Veritas National Elevator Inspection Services, Inc. (“BVNEIS”), during the Class Period whom BVNEIS primarily paid on the basis of WOM-based pay during the Class Period.

6. The Court certifies, for settlement purposes only, the following settlement class pursuant to the Settlement Agreement and Fed. R. Civ. P. 23:

a. The “Potential Pennsylvania Class”:

All Elevator Inspectors employed by BVNEIS within the Commonwealth of Pennsylvania during the Class Period whom BVNEIS primarily paid on the basis of WOM-based pay during the Class Period.

7. The Court appoints, for settlement purposes only, Scott Walters and Tyler Walters as the Class Representatives of the Potential Pennsylvania Class.

8. The Court appoints, for settlement purposes only, Derrek W. Cummings and Larry A. Weisberg of Weisberg Cummings, P.C. as Class Counsel for the Potential Pennsylvania Class.

9. This Court approves ILYM Group, Inc., as Settlement Administrator to perform duties in accordance with the terms of the Settlement Agreement.

10. The proposed Notice packet to be provided as set forth in the Settlement Agreement is hereby found to be the best practicable means of providing notice

under the circumstances and, when completed, shall constitute due and sufficient notice of the proposed class settlement and the Final Approval Hearing to all persons and entities affected by or entitled to participate in the settlement, in full compliance with the notice requirements of Rule 23, the FLSA, due process, the Constitution of the United States, the laws of the Commonwealth of Pennsylvania, and all other applicable laws. The proposed Notice packet is accurate, objective, and informative and provides members of the Potential Settlement Class with all of the information necessary to make an informed decision regarding their participation in the settlement and its fairness.

11. The proposed Notice packet, attached to the Motion for Preliminary Approval as Exhibit 2, is approved. The Settlement Administrator is authorized to mail these documents to the Potential FLSA Class and the Potential Pennsylvania Class as provided in the Settlement Agreement.

12. Potential Pennsylvania Class members who wish to opt out of the Settlement Agreement must submit a Request for Exclusion pursuant to the Settlement Agreement no later than forty-five (45) days after the mailing of the Notice.

13. Potential Pennsylvania Class members who wish to object to the Settlement Agreement must submit a written objection, pursuant to the Settlement Agreement, no later than forty-five (45) days after the mailing of the Notice.

14. Pending the Court's decision on final approval of the settlement, this matter is stayed other than as set out in this Order.

15. The Class Representatives, Class Counsel, and Defendants are ordered to carry out the settlement according to the terms of the Settlement Agreement.

16. The Court will conduct a Final Approval Hearing on **May 21, 2026, at 1:30 p.m.** to determine the overall fairness of the settlement and to approve the amount of attorneys' fees and costs to Class Counsel and the service award to the Class Representatives. The Class Representatives shall file their motion for approval of the settlement, and Class Counsel shall file their motion for attorneys' fees, costs and expenses, and the Class Representatives' Service Award on or before **May 11, 2026.**

17. In other respects, the Court adopts the following sequence of events and instructs the parties to carry them out:

Defendants Provide Settlement Class Contact Information to the Settlement Administrator	Within seven (7) days after the Court's Preliminary Approval Order
Notice Sent by the Settlement Administrator	Within seven (7) days after receipt of the Settlement Class Contact Information
Plaintiffs' Motion for Approval of Attorneys' Fees and Costs	No less than fourteen (14) days before the Final Approval Hearing
Deadline to Postmark Objections or Requests for Exclusion ("Objection and Exclusion Deadline")	Forty-five (45) days after Notice is sent
Plaintiffs' Unopposed Motion for Final Approval	Five (5) business days prior to Final Approval Hearing

Defendants deposit Settlement Fund into Settlement Account	Within fifteen (15) business days of the Court's Final Approval Order
The Settlement Administrator mails settlement checks	Within thirty (30) days of Defendants' deposit of the Settlement Fund into the Settlement Account

IT IS SO ORDERED.

Dated: February 23, 2026

s/ Jennifer P. Wilson

The Honorable Jennifer P. Wilson
United States District Judge