

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

WILLIAM SPEARMAN, et al.,  
individually and on behalf of all  
others similarly situated,

Plaintiffs,

vs.

NELNET SERVICING, LLC and  
EDFINANCIAL SERVICES, LLC,

Defendants.

4:22-CV-3191

MEMORANDUM AND ORDER  
CERTIFYING SETTLEMENT  
CLASS, PRELIMINARILY  
APPROVING AMENDED CLASS-  
ACTION SETTLEMENT, AND  
APPROVING FORM AND  
MANNER OF NOTICE

This matter is before the Court on the Plaintiffs' Motion for an Amended Preliminary Approval Order (filing 161), asking the Court to amend its order of March 31, 2025 (filing 146) certifying the settlement class, preliminarily approving the settlement, and approving forms and a program for class notice. Having reviewed the amendments made to the settlement agreement and proposed notices, the Court will grant the Plaintiffs' motion for the reasons previously explained in its March 31 order, and the provisions of the March 31 order are incorporated herein except as set forth below. *See* filing 146.

IT IS ORDERED:

1. The Plaintiffs' Motion for an Amended Preliminary Approval Order (filing 161) is granted.
2. The agreements, terms, and conditions of the proposed settlement, (filing 110-1) and addendum (filing 161-1) are preliminarily approved pending a fairness hearing.

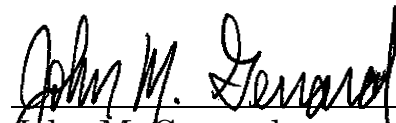
3. Having reviewed the amended notices of settlement—filing 161-3; filing 161-4—the Court approves the notices and directs that the notices to be sent on or before January 5, 2026, pursuant to the notice plan set forth in the settlement agreement.
4. Beginning no later than January 5, 2026, the Claims Administrator shall create and maintain the Settlement Website until the termination of the administration of the Settlement.
5. No later than February 19, 2026, the Claims Administrator shall serve and file a sworn statement attesting to compliance with the notice provisions in this Order and the Court's Order of March 31, 2025 (filing 146).
6. No person other than Class Counsel and Settling Entities' Counsel shall be heard and no papers, briefs, pleadings, or other documents submitted by any Settlement Class Member shall be considered by the Court unless, not later than March 5, 2026, the Settlement Class Member files with the Court (and serves the same on or before the date of such filing by hand or mail on Class Counsel and Settling Entities' Counsel) at the addresses in the Class Notice a written objection.
7. To be timely, a written notice of objection must either be electronically filed on the Court's electronic docket on or before March 5, 2026; or sent via first class, postage-prepaid United States Mail, postmarked no later than the Objection Deadline.

8. Any individual who wishes to exclude themselves from the Settlement must submit a written Request for Exclusion to the Claims Administrator, which shall be received by the Claims Administrator no later than March 5, 2026.
9. A Request for Exclusion shall not be effective unless it complies with the requirements in the Court's Order of March 31, 2025 (filing 146) and is received by March 5, 2026, as set forth in the notice to the Settlement Class.
10. On or before March 10, 2026, the Claims Administrator shall provide a final report to the Parties' Counsel summarizing the number of Requests for Exclusion (i.e., requests to opt out), a list of all individuals who have timely and validly excluded themselves from the Settlement in accordance with the requirements of the Settlement, this Order, and the Court's Order of March 31, 2025 (filing 146), and any other information requested by the Parties' Counsel.
11. All Claim Forms shall be submitted by Settlement Class Members to the Claims Administrator as directed in the Class Notice no later than March 5, 2026.
12. On or before March 20, 2026, the Claims Administrator will file for Court review a declaration describing the proposed distribution of Settlement Benefits.

13. The deadline to complete discovery concerning objections shall be no later than April 6, 2026.
14. Class Counsel shall file their motions for payment of attorneys' fees and expenses, Incentive Awards, and final approval of the Settlement no later than February 19, 2026. Any reply in support of the motions shall be filed no later than April 9, 2026.
15. A fairness hearing shall be held on Tuesday, May 5, 2026, at 10:00 a.m. before the undersigned in Courtroom 3, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. The time and date of the fairness hearing will be included in each notice of settlement.

Dated this 4th day of December, 2025.

BY THE COURT:

  
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John M. Gerrard  
Senior United States District Judge