State Court of Fulton County
E-FILED
25EV012357
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Donald Talley, Clerk
Civil Division

IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

BRITTANY CANUP, QUINCY BROWN, CLARRISA JOHNSON, and **KOLONDA SMITH,** individually and on behalf of all others similarly situated, Plaintiffs, v. **GAS EXPRESS, LLC d/b/a CIRCLE K,** Defendant.	Case No. 25EV012357

FINAL ORDER AND JUDGMENT

Before the Court is Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement and Application for Attorneys' Fees, Costs, and Service Awards (the "Motion"). In the Motion, Plaintiffs request that the Court enter an order granting final approval of the class action Settlement involving Plaintiffs Brittany Canup, Quincy Brown, Clarrisa Johnson, and Kolonda Smith ("Plaintiffs" or "Class Representatives") and Defendant Gas Express, LLC, d/b/a Circle K ("Gas Express" or "Defendant") as fair, reasonable, and adequate. Having reviewed and considered the Settlement Agreement and the Motion, and having conducted a Final Approval Hearing, the Court makes the following findings and grants the relief set forth below approving the Settlement upon the terms and conditions set forth in this Final Order and Judgment.

THE COURT not being required to conduct a trial on the merits of the case or determine with certainty the factual and legal issues in dispute when determining whether to approve a proposed class action settlement; and

THE COURT being required under O.C.G.A. § 9-11-23(e) to make the findings and

conclusions hereinafter set forth for the limited purpose of determining whether the Settlement should be approved as fair, reasonable, adequate and in the best interests of the Settlement Class;

IT IS HEREBY ORDERED that:

The Settlement involves allegations in Plaintiffs' Class Action Complaint that Defendant failed to safeguard and protect the personally identifiable information of Settlement Class Members and that this alleged failure caused injuries to Plaintiffs and the Class.

The Settlement does not constitute an admission of liability by Defendant, and the Court expressly does not make any finding of liability or wrongdoing by Defendant.

Unless otherwise noted, words spelled in this Order with initial capital letters have the same meaning as set forth in the Settlement Agreement.

On April 16, 2026, the Court entered an Order which among other things: (a) approved the Notice to the Settlement Class and California Subclass, including approval of the form and manner of Notice under the Notice Program set forth in the Settlement Agreement; (b) provisionally certified a Class in this matter, including defining the Class, appointed Plaintiffs as the Settlement Class Representatives, and appointed Settlement Class Counsel; (c) preliminarily approved the Settlement; (d) set deadlines for opt-outs and objections; (e) approved and appointed the Claims Administrator; and (f) set the date for the Final Approval Hearing.

In the Order Granting the Motion for Preliminary Approval of Class Settlement Agreement, pursuant to O.C.G.A. §§ 9-11-23(b)(3) and 23(e), for settlement purposes only, the Court provisionally certified the Settlement Class, defined as follows:

> all living individuals residing in the United States who were sent a notice by Defendant that their Private Information was impacted in the Data Incident.

The Settlement Class includes approximately 7,000 individuals.

The Court, having reviewed the terms of the Settlement Agreement submitted by the

Parties pursuant to O.C.G.A. § 9-11-23(e), grants Final Approval of the Settlement Agreement and defines the Settlement Class as defined therein and in the Preliminary Approval Order, and finds that the Settlement is fair, reasonable, and adequate and meets the requirements of O.C.G.A. § 9-11-23.

The terms of the Settlement Agreement are fair, reasonable, and adequate and are hereby approved, adopted, and incorporated by the Court. The Parties, their respective attorneys, and the Claims Administrator are hereby directed to consummate the Settlement in accordance with this Order and the terms of the Settlement Agreement.

Notice of the Final Approval Hearing and the Motion requesting final approval and an award of attorneys' fees, costs, and service awards have been provided to Settlement Class Members as directed by this Court's Orders, and a declaration of the Settlement Administrator's compliance with the Notice Program has been filed with the Court.

The Court finds that such Notice as therein ordered, constitutes the best possible notice practicable under the circumstances and constitutes valid, due, and sufficient notice to all Settlement Class Members in compliance with the requirements of O.C.G.A. §§ 9-11-23(c)(2).

As of the final date of the Opt-Out Period, no potential Settlement Class Members have submitted a valid Opt-Out Request to be excluded from the Settlement, nor any objection to the Settlement.

The Court has considered all the documents filed in support of the Settlement, and has fully considered all matters raised, all exhibits and affidavits filed, all evidence received at the Final Approval Hearing, all other papers and documents comprising the record herein, and all oral arguments presented to the Court.

Pursuant to the Settlement Agreement, Defendant and the Claims Administrator shall

implement the Settlement in the manner and time frame as set forth therein.

Pursuant to the Settlement Agreement, Plaintiffs and the Settlement Class Members release claims against Defendant and all Released Parties, as defined in the Settlement Agreement, as follows:

> "*Released Claims*" means any and all actual, potential, filed or unfiled, known or unknown, fixed or contingent, claimed or unclaimed, suspected or unsuspected claims, demands, liabilities, rights, causes of action, damages, punitive, exemplary or multiplied damages, expenses, costs, indemnities, attorneys' fees and/or obligations, whether in law or in equity, accrued or unaccrued, direct, individual or representative, of every nature and description whatsoever, based on any federal, state, local, statutory or common law or any other law, against the Released Parties, or any of them, arising out of or relating to actual or alleged facts, transactions, events, matters, occurrences, acts, disclosures, statements, representations, omissions or failures to act relating to the Data Incident.
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> "*Released Parties*" means Defendant and each entity which is controlled by, controlling or under common control with Defendant and its past, present, and future direct and indirect heirs, assigns, associates, corporations, investors, owners, parents, subsidiaries, affiliates, divisions, officers, directors, shareholders, members, agents, servants, employees, partners, attorneys, insurers, reinsurers, benefit plans, predecessors, successors, managers, administrators, executors, and trustees.

On the Effective Date and in consideration of the promises and covenants set forth in the Settlement Agreement, Plaintiffs and Settlement Class Members and their respective past, present,

and future heirs, devisees, beneficiaries, conservators, executors, estates, administrators, assigns, trustees, receivers, agents, attorneys, accountants, financial and other advisors, and any other representatives of any of these persons and entities (collectively and individually, the "Releasing Parties") will be deemed to have, and by operation of this Final Order and Judgment shall have, fully, finally, completely, and forever released and discharged the Released Parties from the Released Claims.

The Court also grants Plaintiffs' unopposed Application for Attorneys' Fees, Expenses, and Service Awards, considering all relevant factors. *See Friedrich v. Fid. Nat'l Bank*, 247 Ga. App. 704 (2001); *Eaves v. Earthlink, Inc.*, 2010 WL 5883596, 2010 Ga. Super. LEXIS 1532, *9–10 (Ga. Sup. Ct., Fulton Cty. June 7, 2010). The Court hereby awards $235,000 in combined attorneys' fees and expenses to Class Counsel and $1,000 Service Awards to each of the four Class Representatives.

The matter is hereby dismissed with prejudice and without costs except that the Court reserves jurisdiction over the consummation and enforcement of the Settlement.

In accordance with O.C.G.A. § 9-11-23, this Final Order and Judgment resolves all claims against all Parties in this Action and is a Final Order. There is no just reason to delay the entry of final judgment in this matter, and the Clerk is directed to file this Order as the final judgment in this matter.

Done and ordered this 18th day of September, 2026.

Myra H. Dixon

The Honorable
Judge, State Court of Fulton County, Georgia

Public court record.

This copy was downloaded from https://cw.simpluris.com/docs/public/downloads/GCC/FINAL_ORDER
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Court: State Court of Fulton County, Georgia
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