

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION**

**ERIK KNIGHT, individually and on behalf  
of others similarly situated,**

**PLAINTIFF**

**vs.**

**Case No. 3:22-CV-203-JM**

**PROGRESSIVE NORTHWESTERN  
INSURANCE COMPANY**

**DEFENDANT**

**ORDER**

Before the Court is the parties’ proposed plan for publishing notice to the certified class. (Dkt. No. 145). This proposed plan, which is jointly submitted, is essentially the same as proposed in Plaintiff’s Motion for Court to Approve Notice Plan for Certified Class (Dkt. No. 74), but for the timing.<sup>1</sup> The form and notice to the class as set forth in the proposed plan is approved with the following minor modifications:

1. In the “Why did I get this notice?” paragraph in the proposed short-form notice (Dkt. No. 145-1), delete “Direct.”
2. In the “What are My Options” paragraph in the proposed postcard notice (Dkt. No. 145-2), replace “your exclusion must be received by \_\_\_\_” with “your request for exclusion must be postmarked by \_\_\_\_.”
3. In the proposed long-form notice (Dkt. 145-4):
  - a. Under the heading Class Member Rights and Options, add “or request to be excluded by letter postmarked by”;
  - b. In the last sentence of paragraph 9, substitute “written and signed letter requesting exclusion (your “Request for Exclusion”) to the following:” in place of the proposed language;
  - c. In paragraph 13, replace the proposed sentence with “A jury trial has been scheduled to begin on May 19, 2025 in the Eastern District of Arkansas, Northern Division.”

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<sup>1</sup> Progressive objected to the proposed plan as being premature at that time as the order certifying the class had yet to be filed. (Dkt. No. 77)

The Court appoints Epiq Class Action & Claims Solutions, Inc. as the class administrator. The class notice shall be sent at the earliest date that Epiq can manage, but in no event shall notices be sent later than March 28, 2025. Class members will have until May 12, 2025 to opt-out of the class action.

Plaintiff's motion for the Court to approve its notice plan for the certified class (Dkt. No. 74) is granted, as proposed in the parties' proposed plan (Dkt. No. 145), with the modifications noted above.

IT IS SO ORDERED this 25th day of February, 2025.

  
United States District Judge