

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

SAM WILSON, JR., *et al.*,

\*

*Plaintiffs,*

\*

Case No. 8:20-cv-01344-JRR

v.

\*

EAGLE NATIONAL BANK, *et al.*,

\*

*Defendants.*

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\* \* \* \* \*

**ORDER**

For the reasons set forth in the accompanying Memorandum Opinion, it is this 13th day of March 2023, **ORDERED** that Plaintiffs’ Motion for Class Certification (ECF No. 112) shall be, and is hereby, **GRANTED**.

It is **FOUND** that Plaintiffs Sam Wilson, Jr., John Unthank, Jackie Unthank, and the proposed Class and Subclasses, satisfy the requirements of Federal Rules of Civil Procedure 23(a) and 23(b)(3), as follows:

1. The proposed Eagle Class and Antitrust and RESPA Subclasses are ascertainable, such that it is administratively feasible to identify the members of the proposed class and subclasses and provide notice;
2. The proposed Eagle Class and Antitrust and RESPA Subclasses are so numerous that joinder of all members is impracticable;
3. There are issues of fact and law common to the proposed Eagle Class and Antitrust and RESPA Subclasses;

4. The claims of the named Plaintiffs are typical of the proposed Eagle Class and Antitrust and RESPA Subclasses;
5. The named Plaintiffs have the same interests as the proposed Eagle Class and Antitrust and RESPA Subclasses, and are adequate Class and Subclass representatives;
6. Melissa English and Michael Smith, of Smith, Gildea & Schmidt LLC, and Timothy Maloney and Veronica Nannis, of Joseph, Greenwald & Laake, P.A., are qualified and adequate class counsel;
7. Questions of law or fact common to the members of the Eagle Class and Antitrust and RESPA Subclasses predominate over questions affecting only individual members; and
8. A class action is a superior method of adjudicating the claims of the members of the Eagle Class and Antitrust and RESPA Subclasses.

The following class (the “Eagle Class”) and subclasses (the “Antitrust Subclass” and the “RESPA Subclass”) are certified under Rule 23 of the Federal Rules of Civil Procedure:

The Eagle Class is comprised of all individuals in the United States who were borrowers on a loan originated or brokered by Eagle National Bank or Eagle Nationwide Mortgage Company for which All Star Title, Inc. provided a settlement service, as identified in Section 1100 on the borrower’s HUD-1, between January 1, 2009, and December 31, 2011. Exempted from this class is any person who, during the period of January 1, 2009 through December 31, 2011, was an employee, officer, member and/or agent of Defendants Eagle National Bank, Eagle Nationwide Mortgage Company, Eagle National Bancorp Inc., ESSA Bank & Trust, Inc., ESSA Bancorp Inc., or All Star Title, Inc.; and any judicial officer who handles this case, and the immediate family members of such judicial officer(s).

The Antitrust Subclass is comprised of all members of the Eagle Class.

The RESPA Subclass is comprised of all individuals in the United States who were borrowers on a federally related mortgage loan (as defined under the Real Estate Settlement Procedures Act, 12 U.S.C. § 2602) originated or brokered by Eagle National Bank or Eagle Nationwide Mortgage Company for which All Star Title, Inc.

provided a settlement service, as identified in Section 1100 on the borrower's HUD-1, between January 1, 2009, and December 31, 2011.

Plaintiffs John and Jackie Unthank, and Plaintiff Sam Wilson, Jr. are appointed class representatives.

Melissa English and Michael Smith, of Smith Gildea & Schmidt LLC, and Timothy Maloney and Veronica Nannis, of Joseph, Greenwald & Laake, P.A., are appointed class counsel.

The parties shall confer and jointly submit to the court a proposed form of notice to the Class no later than 30 days following entry of this order.

/S/

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Julie R. Rubin  
United States District Judge