

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

ELLEN ALLICKS, et al., on behalf of)
themselves and others similarly situated,)
)
Plaintiffs,)
)
vs.)
)
OMNI SPECIALTY PACKAGING, LLC,)
O'REILLY AUTOMOTIVE STORES, INC.,)
d/b/a O'REILLY AUTO PARTS, and)
OZARK AUTOMOTIVE)
DISTRIBUTORS, INC.,)
)
Defendants.)

Case No.: 4:19-cv-1038-DGK

JOINT STATUS REPORT
MAY 12, 2023

COME NOW Plaintiffs, by and through Class Counsel, and Defendants, by and through their undersigned counsel, and respectfully state as follows for their Joint Status Report:

1. Class Member Checks Cashed/Outstanding: Of the 120,086 checks (reissues and second distributions) that have been mailed, 75,292 have now cleared totaling \$913,258.97 and 44,794 checks totaling \$272,251.47 are currently outstanding.
2. Class Member Checks Returned as Undeliverable: The Settlement Administrator has now received 2,872 checks returned as undeliverable. 180 of these returns had forwarding addresses provided by the post office, and those were remailed immediately. Of the 2,692 checks that were returned with no forwarding addresses, 1,007 were for \$5.00 or more and were sent for skip tracing and re mailing if a new address is located. Of the 1007 sent for skip tracing, 347 came back with a new address, and the Settlement Administrator has reissued and mailed those checks.

3. Date By Which All Second Distribution Checks Are to Be Negotiated:

The Settlement Administrator has indicated that all second distribution checks, including those remained after locating new addresses, will become stale if not negotiated on or before June 21, 2023.

WHEREFORE, Plaintiffs and Defendants respectfully request that the Court accept this Joint Status Report.

Dated: May 12, 2023

Respectfully Submitted,

HORN AYLWARD & BANDY, LLC

BY: /s/ Thomas V. Bender
Thomas V. Bender MO 28099
Dirk Hubbard MO 37936
2600 Grand, Ste. 1100
Kansas City, MO 64108
(816) 421-0700
(816) 421-0899 (Fax)
tbender@hab-law.com
dhubbard@hab-law.com

**WHITE, GRAHAM, BUCKLEY,
& CARR, L.L.C**

BY: /s/ Gene P. Graham
Gene P. Graham, Jr. MO 34950
William Carr MO 40091
Bryan T. White MO 58805
19049 East Valley View Parkway
Independence, Missouri 64055
(816) 373-9080
Fax: (816) 373-9319
bcarr@wagblaw.com
bwhite@wagblaw.com

CLAYTON JONES, ATTORNEY AT LAW

BY: /s/ Clayton A. Jones
Clayton Jones MO 51802

P.O. Box 257
405 W. 58 Hwy.
Raymore, MO 64083
Office: (816) 318-4266
Fax: (816) 318-4267
clayton@claytonjoneslaw.com

LUNDBERG LAW FIRM, P.L.C.

BY: /s/ Paul D. Lundberg
Paul D. Lundberg, IA Bar #W00003339
600 Fourth St., Suite 906
Sioux City, Iowa 51101
Tel: 712-234-3030
paul@lundberglawfirm.com

**BEASLEY, ALLEN, CROW
METHVIN, PORTIS & MILES, P.C.**

BY: /s/ Rhon E. Jones
Rhon E. Jones, AL
Tucker Osborne, AL
218 Commerce St.
Montgomery, AL 36104
Rhon.Jones@BeasleyAllen.com

EMERSON FIRM, PLLC

BY: /s/ John G. Emerson
John G. Emerson, TX Bar No. 06602600
830 Apollo St.
Houston, TX 77058
Tel: (800) 551-8649
Fax: (501) 286-4659
Email: jemerson@emersonfirm.com

BOLEN ROBINSON & ELLIS, LLP

BY: /s/ Shane M. Mendenhall
Jon D. Robinson
Joshua Rohrscheib
Shane M. Mendenhall– ARDC No. 6297182
Zachary T. Anderson- ARDC No. 6329384
202 S. Franklin St., 2nd Floor
Decatur, IL 62523

Phone: 217-429-4296
Fax: 217-329-0034
Email: smendenhall@brelaw.com
Email: zanderson@brelaw.

BRYANT LAW CENTER, P.S.C.

BY: /s/ Mark P. Bryant
Mark. P. Bryant KY Bar #08755
P.O. Box 1876
Paducah, KY 42002-1876
Phone: (270) 442-1422
Fax: (270) 443-8788
Mark.bryant@bryantpsc.com
Austin.kennady@bryantpsc.com

GRIFFITH LAW CENTER, PLLC

BY: /s/ Travis A. Griffith
Travis A. Griffith, WVSB No. 9343
One Bridge Place
10 Hale Street, Suite 203
Charleston, WV 25301
T: (304) 345-8999
F: (304) 345-7638
E: travis@protectingwv.com

**ATTORNEYS FOR PLAINTIFFS
AND SETTLEMENT CLASS MEMBERS**

LEWIS RICE LLC

By: /s/ Thomas P. Berra, Jr.
Thomas P. Berra, Jr., #43399MO
Edward T. Pivin, #64086MO
600 Washington Avenue, Suite 2500
St. Louis, Missouri 63101
Telephone: (314) 444-1352
Facsimile: (314) 612-1352
tberra@lewisrice.com
epivin@lewisrice.com

Robert W. Tormohlen, #40024MO
Scott A. Wissel, #49085MO
1010 Walnut St., Suite 500
Kansas City, Missouri 64106
Telephone: (816) 472-2507
Facsimile: (816) 472-2500
rwormohlen@lewisricekc.com
sawissel@lewisricekc.com

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document was filed electronically with the United States District Court for the Western District of Missouri, with notice of case activity to be generated and sent electronically by the Clerk of the Court to all designated persons this 12th day of May, 2023.

/s/ Dirk Hubbard