

**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
SEPTEMBER 21, 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 for September 21, 2023:

1. **Summary of Checks Issued to Date as Part of the Second Distribution and as Reissuances of First Distribution Checks:** A total of 120,098 checks have now been issued and mailed as part of the second distribution (the second distribution checks themselves, reissued second distribution checks, and backup withholding checks) and including eight additional first distribution checks which were reissued pursuant to the Court's Order of 8/24/23. (Doc. # 59.) Of that total, 77,729 checks have now cleared totaling \$933,979.66, and 42,369 checks totaling \$254,776.79 are currently outstanding.

2. **Reissued Checks:** Per the Courts Order of 8/24/23, the Settlement Administrator recently reissued eight first distribution checks totaling \$3,246.03 and nine second distribution checks totaling \$282.08.

3. **Additional Requests for Reissued Checks:** The Court's 8/24/23 Order noted that the Settlement Administrator should reissue checks for any valid additional requests that were received on or before August 15, 2023. The Settlement Administrator did not receive any additional reissuance requests other than those previously presented to the Court and which have now been reissued as noted above.

4. **Last Date for Honoring Distribution Checks:** Per the Court's 8/24/23 Order, the Settlement Administrator will continue to honor distribution checks through November 28, 2023. The Parties will update the Court in 30 days regarding additional checks cleared and the updated number of outstanding checks and funds.

WHEREFORE, Plaintiffs and Defendants respectfully request that the Court accept this Joint Status Report for September 21, 2023.

Dated: September 21, 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 21st day of September, 2023.

/s/ Dirk Hubbard