

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

MARGARET BUNCH, et al.	)	
Individually, and as	)	
Class Representatives	)	
Plaintiffs,	)	Case No. 00-0364-CV-W-ODS
	)	
vs.	)	
	)	
RENT-A-CENTER, INC.,	)	
Defendant,	)	
	)	
vs.	)	
	)	
CLAUDINE WILFONG, et al.,	)	
	)	
Intervenors.	)	

ORDER AFFIRMING ARBITRATOR'S RULING

As part of the settlement in this case, class members were provided with three options: (1) accept a sum certain based on the length of their employment with Defendant, (2) submit their claims to an alternative dispute resolution ("ADR") process, or (3) opt out of the class, leaving them free to pursue their own claims. Those pursuing ADR were also provided the right to appeal the arbitrator's ruling to this Court if they were dissatisfied with the arbitrator's conclusions. The deadline for filing objections has passed, and the Court has received four appeals.¹ After reviewing the claimants' submissions and the arbitrator's file (including a spreadsheet reflecting all of the awards), the Court affirms the arbitrator's ruling with respect to all four claimants.

Initially, it must be pointed out that under the terms of the settlement the maximum recovery permitted for one pursuing ADR was \$50,000. This is significant because two of the claimants – Patti Almanza and Denise Couplin – received this amount. While it

¹The appeals filed by Denise Couplin and Earnestine Harris have been filed. The appeals submitted by Patti Almanza and Susan Freeman were sent directly to Chambers and were not filed. The Clerk of Court is directed to file the latter two appeals.

might be true that they would have had a greater recovery if they filed their own lawsuit, the did not do that. Instead of opting out of the class they took advantage of the mechanism provided in the settlement. The Court lacks the authority to alter the settlement to provide them with more money.

The other two claimants – Earnestine Harris and Susan Freeman – were awarded \$45,000 and \$40,000 respectively. The Court's review reveals no basis for second-guessing the arbitrator's decision, particularly in light of the nature of these two claims and the amounts awarded to other claimants. The Court concludes the awards are fair and reasonable.

The Clerk of Court shall mail copies of this Order to:

Patti Almanza
P.O. Box 205
Ellerbe, NC 28338

Earnestine Harris
1457 San Altos Place
Lemon Grove, CA 91945

Susan Freeman
1910 Poinsettia Ave.
Tampa, FL 33612

Denise Couplin
2129 E. Bobo Newsome Highway
Hartsville, SC 29550

IT IS SO ORDERED.

DATE: December 5, 2003

/s/ Ortrie D. Smith

ORTRIE D. SMITH, JUDGE
UNITED STATES DISTRICT COURT