

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE GEISINGER SYSTEM  
SERVICES AND EVANGELICAL  
COMMUNITY HOSPITAL  
HEALTHCARE WORKERS  
ANTITRUST LITIGATION

No. 4:21-cv-00196

Chief Judge Matthew W. Brann

**ORDER GRANTING FINAL APPROVAL OF THE  
SETTLEMENTS**

**WHEREAS**, Plaintiffs have moved for final approval under Federal Rule of Civil Procedure (“Rule”) 23(c)(2) and 23(e) of two settlements reached with Defendants Geisinger System Services, Inc. (“Geisinger”)<sup>1</sup> and Defendant Evangelical Community Hospital (“Evangelical”) (together, “Defendants”) in the above-captioned complex antitrust class action, *In re Geisinger Sys. Servs. and Evangelical Cmty. Hosp. Healthcare Workers Antitrust Litig.*, No. 4:21-cv-00196-MWB (M.D. Pa.) (the “Action”).

**WHEREAS**, the Settlements provide for payments of \$9.5 million by Evangelical and \$19 million by Geisinger for a combined cumulative recovery of \$28.5 million.

**WHEREAS**, on June 9, 2025 (by Evangelical) and June 13, 2025 (by Geisinger), Plaintiffs, both individually and on behalf of the Settlement Class (defined below), and Defendants executed separate settlement agreements setting forth the terms and conditions of the Settlements and providing for the release and dismissal with prejudice of Plaintiffs’ claims against Defendants (together, the “Settlement Agreements”);

**WHEREAS**, on October 3, 2025, Plaintiffs filed a Motion for Certification of a Settlement Class, Preliminary Approval of the Settlements, Preliminary

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<sup>1</sup> “Geisinger” also includes Geisinger Health and all of Geisinger Health’s subsidiaries.

Approval of the Plan of Allocation, Approval of the Notice Plan, and Approval of the Proposed Schedule for Completing the Settlement Process (Dkt. 244);

**WHEREAS**, on November 18, 2025, the Court entered an Order preliminarily approving the Settlement Agreements, certifying the Settlement Class, appointing Berger Montague PC and Cotchett, Pitre & McCarthy, LLP as Co-Lead Counsel for the Settlement Class (“Class Counsel”), appointing A.B. Data, Ltd. (“A.B. Data”) as Claims Administrator for the Settlement Class, ordering notice of the proposed Settlements be provided to the Settlement Class, approving the Notice Plan, and scheduling a final fairness (Dkt. 257);

**WHEREAS**, on March 10, 2026, Plaintiffs filed their Motion for Final Approval of the Settlement Agreements (the “Motion”).

**WHEREAS**, on March 16, 2026, the Court conducted a hearing (the “Fairness Hearing”) at which counsel for all parties and Settlement Class Members had an opportunity to appear, and to consider, among other things, whether the Settlement Agreements are fair and reasonable and should be granted final approval;

**WHEREAS**, A.B. Data has received only one request for exclusion and no objection to the Settlement Agreements;

**WHEREAS**, Defendants do not oppose Plaintiffs’ Motion for Final Approval of the Settlements; and

**WHEREAS**, the Court, having reviewed the Motion, its accompanying memorandum, and the exhibits thereto, the Settlement Agreements, the record in the Action, all papers filed, and the arguments of counsel and any persons appearing at the Fairness Hearing, hereby finds that the Motion should be **GRANTED** as to the settlements with the Settling Defendants.

**NOW, THEREFORE, IT IS HEREBY ORDERED** that:

1. All terms in initial capitalization used in this Order shall have the same meanings as set forth in the Settlement Agreements unless otherwise defined herein.

**Jurisdiction**

2. This Court has jurisdiction to enter this Order as it has jurisdiction over the subject matter of the above-captioned action and over Defendants and Plaintiffs, including all members of the Settlement Class.

**Final Approval of the Settlements**

3. Plaintiffs' Motion for Final Approval of the Settlements is **GRANTED**.

4. The Court makes the following findings under Rule 23:

a. The Court previously granted preliminary approval of the Settlements and directed the dissemination of settlement class notice to the class to gauge their reaction, finding that the settlements were likely fair, reasonable, and adequate, and that final approval was warranted Rule 23(e)(2). *See* Dkt. 257 ¶¶ 7-8.

b. Accordingly, the Settlement Administrator commenced

settlement notice to the Settlement Class on December 18, 2025 pursuant to the Court-approved Notice Plan. Settlement Class Members had until February 17, 2026, to object to or request exclusion from the Settlements. No objection was received and only one Settlement Class Member requested exclusion.

c. The Settlements satisfy the requirements of Rule 23(e)(2). The Court finds that: (i) the Class Representatives and Class Counsel have adequately represented the Settlement Class; (ii) the Settlements were negotiated at arm's length; (iii) the relief provided for the Settlement Class is adequate in light of the costs, risks, and delay of further litigation, the effectiveness of the proposed method of distribution, the requested attorneys' fees, and the absence of any undisclosed agreements; and (iv) the Settlements treat Settlement Class Members equitably relative to one another.

d. The Court has also considered the factors set forth in *Girsh v. Jepsen*, 521 F.2d 153 (3d Cir. 1975), and finds that they weigh in favor of final approval. In particular, the complexity and duration of the litigation, the advanced stage of the proceedings, the risks of establishing liability and damages and maintaining class certification, the reasonableness of the Settlement Fund in light of the risks of continued litigation, and the favorable reaction of the Settlement Class all support approval.

e. The Court has further considered the applicable factors identified

in *In re Prudential Ins. Co. Am. Sales Prac. Litig. Agent Actions*, 148 F.3d 283 (3d Cir. 1998), and finds that those factors also support approval of the Settlements.

f. As the Court noted at preliminary approval, the Settlements were reached only after extensive adversarial litigation, including substantial fact and expert discovery, class certification briefing, and *Daubert* motion practice. *See* Dkt. 257 ¶ 8. The Court finds that the parties possessed sufficient information to evaluate the strengths and weaknesses of their respective positions and that the Settlements are the product of informed, arm's-length negotiations.

g. Accordingly, the Court concludes that the Settlements are fair, reasonable, and adequate and satisfy the requirements of Rule 23.

h. Pursuant to Rule 23(g), Interim Co-Lead Counsel from the law firms of Berger Montague PC and Cotchett, Pitre & McCarthy, LLP, previously appointed by the Court, are appointed as Co-Lead Counsel for the Settlement Class as they have and will fairly and competently represent the interests of the Settlement Class.

i. Pursuant to Rule 23, the Court certifies the Settlement Class as found in the two Settlement Agreements.

j. The Court further finds that the prerequisites to a class action under Rule 23 are satisfied solely for settlement purposes in that: (a) there are thousands of Settlement Class Members, making joinder of all members

impracticable; (b) there are questions of law and fact common to the Settlement Class that predominate over individual issues; (c) the claims or defenses of the Plaintiffs are typical of the claims or defenses of the Settlement Class; (d) the Plaintiffs will fairly and adequately protect the interests of the Settlement Class and have retained counsel experienced in antitrust class action litigation who have, and will continue to, adequately represent the Settlement Class; (e) common issues of law and fact predominate; and (f) a class action is superior to individual actions.

### **Notice**

5. Pursuant to the Court's Preliminary Approval Order (Dkt. 257), notice of the proposed Settlements was disseminated in accordance with the Court-approved Notice Plan. The Court-appointed Settlement Administrator, A.B. Data, caused direct notice to be sent to Settlement Class Members by U.S. mail and email using Defendants' employment records and validated contact information. The Court finds that the notice was timely and disseminated in the manner previously approved.

6. The Notice clearly and concisely described: (i) the nature of the Action and the allegations concerning the alleged no-poach agreement; (ii) the definition of the Settlement Class; (iii) the total \$28.5 million Settlement Fund (\$19 million from Geisinger and \$9.5 million from Evangelical); (iv) the Plan of Allocation, including a minimum payment of \$250 per Settlement Class Member plus a *pro rata* share based on total compensation from January 1, 2014 through August 5, 2020; (v) the

binding effect of judgment; (vi) Settlement Class Members' right to object; (vii) Settlement Class Members' right to request exclusion; (viii) the procedures and February 17, 2026 deadline for submitting objections, exclusion requests, Proof of Claim and Release Forms (if required), challenges to compensation figures, or IRS Form W-9 submissions (if required); (ix) the March 16, 2026 Fairness Hearing; and (x) Class Counsel's intent to seek attorneys' fees not to exceed 33.33% of the Settlement Fund, reimbursement of expenses not to exceed \$3,500,000, and service awards of up to \$10,000 for each Class Representative.

7. In addition to direct notice, a case-specific settlement website ([www.geisingerevansettlement.com](http://www.geisingerevansettlement.com)) was established and made publicly accessible. The website provided access to the Long Form Notice, Settlement Agreements, Plan of Allocation, Court filings, key deadlines, and online claim submission tools. The Claims Administrator also established a dedicated toll-free telephone number and email address to respond to inquiries from Settlement Class Members. A.B. Data also implemented a supplemental media campaign to expand notice.

8. Pursuant to 28 U.S.C. § 1715, Defendants provided notice of the Settlements to the appropriate state and federal officials.

9. The Court finds the Notice Plan constituted the best notice practicable, was reasonably calculated to apprise Settlement Class Members of the pendency of the Action and their rights, afforded them a full and fair opportunity to object, request

exclusion, or submit required forms, and fully satisfied the requirements of Rule 23 and the Due Process Clause.

### **Plan of Allocation**

10. The Court previously reviewed and preliminarily approved the proposed Plan of Allocation in its November 18, 2025 Order. *See* Dkt. 257 ¶ 9. There were no objections to the Plan of Allocation. The Court finds that the Plan of Allocation is fair, reasonable, and adequate.

11. The Plan provides that, after deduction from the \$28.5 million Settlement Fund of Court-approved attorneys' fees and expenses, service awards, notice and administration costs, taxes and tax-related expenses, the net Settlement Fund shall be distributed to eligible Settlement Class Members on a *pro rata* basis.

12. Each eligible Settlement Class Member shall receive a minimum payment of \$250. In addition, Settlement Class Members shall receive a *pro rata* share of the net Settlement Fund based on their total compensation earned from Geisinger and/or Evangelical during the period January 1, 2014 through August 5, 2020 ("Class Period"), as reflected in Defendants' employment records or as determined pursuant to the settlement process.

13. The Court finds this allocation equitably distributes the net Settlement Fund in proportion to Settlement Class Members' relative damages during the Class Period. The Plan of Allocation treats similarly situated Settlement Class Members

equitably and does not improperly favor any segment of the Class.

14. The Court therefore grants final approval of the Plan of Allocation and approves distribution of the net Settlement Fund to Settlement Class Members.

**Release, Dismissal, and Binding Effect**

15. The Releases set forth in the Settlement Agreements are hereby incorporated into this Order. Upon the Effective Date, Plaintiffs and all Settlement Class Members who did not timely and validly request exclusion shall be deemed to have fully, finally, and forever released, relinquished, and discharged Defendants and the Released Parties from the Released Claims, as defined in the Settlement Agreements.

16. All Settlement Class Members who did not timely and validly exclude themselves are hereby permanently barred and enjoined from commencing, prosecuting, or maintaining, in any forum, any action asserting any Released Claims against any Released Party.

17. Attached as **Exhibit 1** is the sole Settlement Class Member requesting opt-out or exclusion. This person shall not be bound by this Order or the Final Judgment entered in this Action.

**Dismissal with Prejudice**

18. The Action and all claims asserted therein against Defendants are hereby dismissed with prejudice and on the merits, without costs to any party except

as otherwise provided in the Settlement Agreements or this Order.

**Rule 54(b) Final Judgment**

19. Pursuant to Rule 54(b), the Court finds that there is no just reason for delay and directs entry of final judgment as to Defendants Geisinger and Evangelical.

**Retention of Jurisdiction**

20. Without affecting the finality of this Order in any respect, this Court reserves jurisdiction over any matters related to or ancillary to this Order.

Dated: March 16, 2026

**BY THE COURT:**

*s/ Matthew W. Brann*

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**Matthew W. Brann**  
**Chief United States District Judge**