IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

L.N.P. *on his own behalf and on behalf of his dependent children P.D.P. and L.D.P. and on behalf of all others similarly situated*	)	
Plaintiffs,	)	
- versus -	)	**Case No. 1:24-cv-01196 (MSN/IDD)**
FRANK BISIGNANO, Commissioner of Social Security Administration, ***et al.*****,**	)	
Defendants.	)	

CONSENT MOTION FOR APPROVAL OF CLASS NOTICE PLAN

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Dated: September 29, 2025

Counsel for Plaintiffs and the class

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Plaintiff and Class Representative L.N.P, on his own behalf and on behalf of his dependent children P.D.P. and L.D.P., and on behalf of the certified class (collectively, the "Plaintiffs"), by undersigned appointed Class Counsel and pursuant to Federal Rule of Civil Procedure 23(c)(2)(B), file this Consent Motion for Approval of Class Notice Plan (the "Motion"). Defendants consent to the relief sought in this Motion. The Proposed Notice to Class Members is attached hereto as Exhibit A (the "Proposed Notice").[1] In support of this Motion, Plaintiffs state as follows:

I. LEGAL STANDARD

The Federal Rules require that, for classes certified under Rule 23(b)(3), the court "direct to class members the best notice that is practicable under the circumstances, including individual notice to all members who can be identified through reasonable effort." *In Re Zetia (Ezetimibe) Antitrust Litig.*, No. 2:18-MD-2836, 2022 WL 3337794, at *2 (E.D. Va. Feb. 9, 2022) (quoting Fed. R. Civ. P. 23(c)(2)(B)). "Individual notice must be sent to all class members whose names and addresses may be ascertained through reasonable effort." *Eisen v. Carlisle & Jacquelin*, 417 US 156, 173 (1974). "Directly mailing notice to class members satisfies due process." *Manuel v. Wells Fargo Bank, Nat'l Ass'n*, No. 3:14CV238(DJN), 2016 WL 1070819, at *4 (E.D. Va. Mar. 15, 2016).

Rule 23(c)(2)(B) requires that "the notice must clearly and concisely state in plain, easily understood language:

(i) the nature of the action;

(ii) the definition of the class certified;

(iii) the class claims, issues, or defenses;

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[1] The Proposed Notice was modelled after the template provided by the Federal Judicial Center. That template can be found here: https://www.fjc.gov/sites/default/files/2016/ClaAct12.pdf.

(iv) that a class member may enter an appearance through an attorney if the member so desires;

(v) that the court will exclude from the class any member who requests exclusion;

(vi) the time and manner for requesting exclusion; and

(vii) the binding effect of a class judgment on members under Rule 23(c)(3)."

Fed. R. Civ. P. 23(c)(2)(B); *see also* Manual Complex Lit. § 21.31 (4th ed.) (stating that notice should (i) describe the nature of the action; (ii) describe the definition of the class and the claims, issues, and defenses being litigated; (iii) identify the class representatives and counsel; (iv) describe the relief sought; and (v) explain any risks and benefits of retaining class membership and opting out, while emphasizing that the court has not ruled on the merits of any claims or defenses). Rule 23(h) further requires that notice of Class Counsel's intent to seek attorneys' fees must be "directed to class members in a reasonable manner." Fed. R. Civ. P. 23(h).

II. ARGUMENT

1. Service of Notice By U.S. Mail Directly To Each Class Member Complies With Rule 23 and Due Process

Class Counsel, with consent of Defendants, propose to provide direct, individual notice to the 102,618 class members by first-class U.S. Mail. The notices will be sent to the addresses that are on file with the Social Security Administration. These are the same addresses used by the agency to communicate with the beneficiaries in the ordinary course of administering the social security program. Notice by general publication or other less direct means is unnecessary here because the parties know who the exact class members are by name and Defendants possess and have provided their addresses for the purpose of sending notice. Thus, the proposed method of providing direct notice by mail plainly meets the Supreme Court's requirement that individual notice be given whenever, as here, the class members' names and addresses are known. *Eisen*, 417 US at 173; *Stacy v. Jennmar Corp. of Virginia, Inc.*, No. 1:21CV00015, 2021 WL 4787278, at *4 (W.D. Va. Oct. 14, 2021) (holding that service by U.S. Mail is sufficient); *Blenko v. Cabell Huntington Hosp., Inc.*, No. CV 3:21-0315, 2022 WL 3229968, at *7 (S.D.W. Va. Aug. 10, 2022) (finding that class notice through U.S. Mail is proper). Class Counsel anticipates that it will be prepared to mail notice to the class members on or before October 17, 2025, or at such later date as ordered by the Court.[2]

In addition to sending notice by first-class U.S. Mail, Class Counsel will establish a website (www.kelleydrye.com/LNPclassaction) where class members can obtain up-to-date information about the litigation, including copies of all Court orders, final judgment, Class Counsel's anticipated motion for attorneys' fees, and information about any scheduled Court hearings or conferences. Use of a website to provide ongoing updates to the class is a common and acceptable way to give notice to the class of future activity in the litigation. *In Re Zetia (Ezetimibe) Antitrust Litig.*, 2022 WL 3337794, at *9 (approving notice plan that included "[a] dedicated informational case website … to complement the Notice Plan and to ensure TPP Class Members' easy access to updated information"); *Binotti v. Duke Univ.*, No. 1:20-CV-470, 2021 WL 5363299, at *5–6 (M.D.N.C. Aug. 30, 2021) (class notice along with a case-specific website that published all relevant litigation documents and settlement notices, complied with all due process requirements).

The proposed notice plan also provides for Class Counsel to establish a phone number and email address which class members can use to contact Class Counsel to ask questions or learn more about the litigation. These additional methods of contact provide additional ways for class members to stay informed about the progress of the litigation. *See Binotti*, 2021 WL 5363299, at *5–6 (noting that proper notice also included a telephone number to receive calls from class

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[2] The list of class members previously provided by SSA was missing addresses for approximately 3,274 class members who reside outside the United States. SSA advised earlier today that it now has an updated list of those addresses. Class Counsel will review the new list when they receive it. If additional time is needed to send notice to the class members, Class Counsel will seek appropriate relief from the Court.

members); *Hodge v. N. Carolina Dep't of Adult Correction*, No. 5:19-CV-478-D, 2024 WL 1309169, at *1 (E.D.N.C. Mar. 27, 2024) (approving class notice plan that also established a website for class members to access case documents); *Grice v. PNC Mortg. Corp. of Am.*, No. CIV. A. PJM-97-3084, 1998 WL 350581, at *7 (D. Md. May 21, 1998) (approving proposed notice that contained a phone number of class counsel and the procedure for making inquiries to same).

2. The Content Of Plaintiffs' Proposed Notice Complies With the Federal Rules

Plaintiffs' Proposed Notice complies with the Federal Rules. The very first sentence in the Proposed Notice states the nature of the action and the section entitled "WHAT IS THIS CASE ABOUT?" provides an explanation about the action along with vital information about the case, complying with Rule 23(c)(2)(B)(i). *See* Proposed Notice ("You are receiving this notice because you are the representative payee of a child who may be part of a certified class action lawsuit…").

The Proposed Notice, in the section entitled: "IS YOUR CHILD PART OF THE CLASS" then provides the definition of the class certified by the Court, as required by Rule 23(c)(2)(B)(ii). *Id.* ("The lawsuit alleges that SSA improperly reduced child insurance benefit payments…").

The Proposed Notice explains, in plain language, what the case is about, *i.e.*, Plaintiffs' claims and SSA's defenses, in the section entitled: "WHAT IS THIS CASE ABOUT?" in compliance with Rule 23(c)(2)(B)(iii). *Id.* ("The Lawsuit alleges that the agency should have used the actual benefit payable to early retirees . . . SSA denies that it miscalculated benefits or that it owes any money to the class…"). In crafting a notice, the amount of information on defenses that must be presented is minimal and a simple general statement that the defendants have denied liability will suffice. *See City of Ann Arbor Employees' Ret. Sys. v. Sonoco Prods. Co.*, No. 4:08-CV-2348-TLW-SVH, 2011 WL 13199259, at *1 (D.S.C. Dec. 7, 2011) (overruling defendant's objection to proposed notice where the proposed notice stated that the defendants had denied and continued to deny that they have committed any violations of law or that they have any liability with respect to any claims asserted in the action). Here, the Proposed Notice states that SSA denies that it did anything wrong and that it intends to seek authority to appeal the Court's decision regarding the proper interpretation of the relevant statutes and regulations. Thus, the Proposed Notice satisfies Rule 23(c)(2)(B)(iii)'s requirement of providing SSA's defenses.

The Proposed Notice also complies with Rule 23(c)(2)(B)(iv), by stating: "You may instead choose to hire your own lawyer at your own expense to represent you and your children in this case at any time and to appear in court. You may also appear in person yourself without a lawyer." *See* Proposed Notice, section "WHO REPRESENTS THE CLASS MEMBERS?"

The Proposed Notice in the "WHAT ARE YOUR OPTIONS?" section complies with Rule 23(c)(2)(B)(v) and (vi), by explaining that class members may ask to be excluded from the class and the procedure and deadline by which they may do so. *Id.* ("You may also ask for your child to be excluded from the class. If your child is excluded from the class, they will not receive any potentially past-due benefits from this Lawsuit and will not be bound by any orders or judgments of the Court. Your child will retain any rights they may have to separately sue SSA for such benefits or to challenge a determination of benefits through SSA's administrative process. To be excluded from the class, you must send a letter or postcard which states in words or substance: 'I and my child(ren) want to be excluded from the class in *LNP v. Bisignano*, Case No. 1:24-cv-01196 (E.D. Va.).' You must also provide your full name, the name of your child(ren), your mailing address, telephone number, and email address. Any request for exclusion must be **postmarked by December 1, 2025** and should be mailed to Class Counsel at the address below.").

In accordance with Rule 23(c)(2)(B)(vii), the Proposed Notice also explains the binding effect of a class judgment on members who elect to remain in the class. *Id.* ("If you do nothing, your child will remain a member of the class and will be legally bound by all orders and judgments of the Court. Neither you nor your child will be able to sue, or continue to sue, SSA for any potentially past-due benefits that the Lawsuit seeks. If past-due money benefits are awarded to your child, you will be notified, if necessary, about what to do, if anything, to obtain any money benefits owed to your child.").

The Proposed Notice ends with a section entitled: "HOW CAN YOU GET MORE INFORMATION?" which directs class members to the publicly available website that Class Counsel will construct and on which Court documents from this case will be posted. These documents will include this Motion, as well as future filings, and all past and future Court Orders. The website will also contain information about upcoming Court hearings and deadlines.

Finally, the Proposed Notice informs each class member that Class Counsel will seek an attorneys' fee award under 42 U.S.C. § 406(b) of up to 25% of the past-due benefits, to be paid out of the class members' recovery. *Id.* ("As permitted by federal law, Class Counsel intends to seek a reasonable fee up to 25% of any past-due benefits paid to class members, with such fee to be paid out of such past-due benefits. The Court will decide what percentage, if any, to award Class Counsel."). The Proposed Notice further informs each class member that they "will have the right to submit written comments or objections to the Court regarding the fee application and to appear at any hearing" and that "[t]he deadline for submitting objections and the date, time, and location of any fee hearing will be posted at **www.kelleydrye.com/LNPclassaction** shortly after the information becomes available." *Id.* This is sufficient to comply with the requirement of Rule 23(h) that notice of the motion for fees be "directed to class members" by "reasonable means." *See, e.g.*, *Gascho v. Glob. Fitness Holdings, LLC*, No. 2:11-CV-436, 2014 WL 1350509, at *32 (S.D. Ohio Apr. 4, 2014), report and recommendation adopted, No. 2:11-CV-00436, 2014 WL 3543819 (S.D. Ohio July 16, 2014), aff'd, 822 F.3d 269 (6th Cir. 2016) ("notice of the fee request was included on the long-form notice … [which] was posted on the settlement website….”); *George v. Duke Energy Ret. Cash Balance Plan*, No. 8:06-CV-00373-JMC, 2011 WL 13218031, at *1 (D.S.C. May 16, 2011) (providing notice of a request for attorneys' fees by first-class mail and “promulgation of a class notice website” is sufficient). Indeed, in prior class actions against SSA, such fee applications were posted on websites specifically dedicated to those cases. *See Greenberg v. Colvin* class action[3]; *Steigerwald v. Berryhill* class action.[4]

Accordingly, and in light of the foregoing, the substance of the Proposed Notice complies with the Federal Rules.

3. A 45-Day Opt-Out Period Satisfies Due Process

Rule 23(c)(2)(B) “does not prescribe a specific time period … [for] how much time must be afforded class members to exercise the right to opt out of the class. The district court has discretion as to the timing of notice, as long as notice is sent prior to entry of final judgment.” 1 McLaughlin on Class Actions § 5:78 (21st ed.) (citing *In re Rail Freight Fuel Surcharge Antitrust Litigation*, 286 F.R.D. 88, 94 (D.D.C. 2012)). During the final pretrial conference on September 18, 2025, the Court suggested that a 90-day opt-out period may be appropriate. Plaintiffs, with Defendants' consent, respectfully request approval of a 45-day opt-out period instead, running from the date the notices are mailed out. This timeframe is reasonable given the circumstances of this case and provides potential class members ample notice and opportunity to opt-out of the class.

Many courts have approved of a 45-day (or shorter) opt-out period. *Thomas v. Backgroundchecks.com*, No. 3:13-CV-029-REP, 2015 WL 11004871, at *3 (E.D. Va. May 18, 2015) (45 days); *Helmick v. Columbia Gas Transmission*, No. CIV.A.2:07-CV-00743, 2010 WL

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3 https://www.ssa.gov/greenberg/Application%20-%20Single%20Package.pdf.

4 http://www.steigerwaldclassaction.com/media/1876022/motion_for_attorneys__fees.pdf.

2671506, at *8 (S.D.W. Va. July 1, 2010) (45 days); *Fidel v. Farley*, 534 F.3d 508, 513–15 (6th Cir. 2008) (46 days); *Torrisi v. Tucson Elec. Power Co.*, 8 F.3d 1370, 1374 (9th Cir. 1993) (31 days); *In re Prudential Ins. Co. of Am. Sales Practices Litig.*, 177 F.R.D. 216, 240–41 (D.N.J. 1997) (46 days); *Schear v. Food Scope America, Inc.*, 297 F.R.D. 114, 128 n.7 (S.D.N.Y. 2014) ("Courts have held that opt out periods of less than 45 days satisfy due process, even where unsophisticated class members must make decisions regarding complex issues of law or fact.") (cleaned up); *Hester v. Vision Airlines, Inc.*, 2014 WL 3547643, *6 (D. Nev. 2014) (noting approval of provision whereby "[c]lass members had 30 days after the postmarked date of the Notice to opt-out of the Class or file objections to the terms of the Settlement Fund").

Here, a 45-day period is sufficient because notice is being sent directly to each class member by U.S. Mail to the same address that the SSA uses to communicate with the class members. Thus, this case is unlike cases where the whereabouts of class members are unknown or where notice has to be given by publication—in such situations, a longer time to opt-out may be appropriate to give sufficient time for potential class members to become aware of the notice and take action. *See e.g., Jacobo v. Ross Stores, Inc.*, No. CV 15-4701-MWF (AGRx), 2018 WL 11465299, at *3 (C.D. Cal. Dec. 7, 2018) (allowing class members 90 days to opt-out where notice was made, in part, via magazine publication, as well as through an internet and social media advertisement campaign). Here, each class member will be directly informed by U.S. Mail at addresses provided by the government; the same way those members currently receive information from SSA regarding their benefits generally. A more effective notice plan is difficult to imagine and, therefore, class members do not need 90 days to decide whether to opt-out.

Alternatively, if the Court believes additional time is appropriate, Plaintiffs, with Defendants' consent, propose a 60-day opt-out period. *See Ashley v. GAF Materials Corp. (In re*

Bldg. Materials Corp. of Am. Asphalt Roofing Shingle Prods. Liab. Litig.), No. 8:11-mn-02000, 2014 WL 12621614 (D.S.C. Oct. 15, 2014) (stating that "[p]eriods of approximately two (2) months for opting out have been approved in other cases."); *In re National Football League Players' Concussion Injury Litigation*, 301 F.R.D. 191, 203 (E.D. Pa. 2014) ("It is well-settled that between 30 and 60 days is sufficient to allow class members to make their decisions to accept the settlement, object, or exclude themselves."); *Chesbro v. Best Buy Stores, L.P.*, 2014 WL 1871030, *9 (W.D. Wash. May 7, 2014) (approving just over two-month period between sending of notice by mail and deadline to object or opt-out); *Wren v. RGIS Inventory Specialists*, 2009 WL 1705616, *2 (N.D. Cal. June 17, 2009) ("an opt-out period of 60 days is reasonable").

If the Court orders a 45-day opt-out period and Class Counsel mail the notices out by October 17, 2025 (as they intend to do barring unforeseen complications), the deadline for timely submission of opt-out requests would be December 1, 2025.

4. Additional Notice Procedures

The proposed notice plan also anticipates that Class Counsel will tabulate all timely opt-out requests received from potential class members. Class Counsel propose that, within 21 days of the expiration of the opt-out period (to give time for mail to arrive that was postmarked by the deadline), Class Counsel will file a report with the Court certifying that notice had been sent and providing a list of all individuals who timely opted-out of the class. If the opt-out deadline is December 1, 2025, Class Counsel would submit its report by December 22, 2025.

III. CONCLUSION

In summary, the relevant deadlines proposed in this motion are: (i) Class Counsel will send notice to the class by U.S. Mail on or before October 17, 2025, (ii) timely opt-out requests must be postmarked by December 1, 2025, and (iii) Class Counsel must submit a report as described above by December 22, 2025. For the reasons stated above, Plaintiffs, with Defendants' consent, request that the proposed notice and notice plan be approved.

Dated: September 29, 2025

Respectfully submitted,

/s/ Joseph J. Green

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Counsel for Plaintiffs and the class

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of September, 2025, Plaintiffs' Consent Motion to Approve Class Notice was uploaded to this Court's CM/ECF system, which will electronically serve a copy of the same on all counsel of record.

Respectfully submitted,

/s/ *Joseph J. Green*

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Counsel for Plaintiffs and the class

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

You are receiving this notice because a child on whose behalf you serve as a representative payee has received child's insurance benefit payments that may be impacted by a class action lawsuit pending against the Social Security Administration.

WHY ARE YOU RECEIVING THIS NOTICE?

You are receiving this notice because you are the representative payee of a child who may be part of a certified class action lawsuit pending against the Social Security Administration which alleges that the agency has been miscalculating benefits paid to the children of early retirees and may owe such children past-due money benefits. The lawsuit is called *L.N.P. v. Bisignano*, Case No. 1:24-cv-01196-MSN-IDD (the "Lawsuit"), and is pending in the United States District Court for the Eastern District of Virginia. More information about the Lawsuit, including copies of all relevant Court orders and important court deadlines will be available at **www.kelleydrye.com/LNPclassaction**.

This notice is being sent to advise you of your child's options regarding this Lawsuit. As explained below, if you do nothing, your child will remain part of the class and be bound by the results of the Lawsuit. Alternatively, you may decide to opt out of the class on behalf of your child in which case they will not receive any potential benefits from the resolution of the pending Lawsuit but will retain any rights they may have to pursue their own claims against SSA.

WHAT IS THIS CASE ABOUT?

The Lawsuit alleges that SSA improperly reduced child insurance benefit payments to the "Eligible Children" of "Early Retirees" by miscalculating whether the "Family Maximum" had been reached under 42 U.S.C. § 403(a). In particular, the Lawsuit alleges that the agency should have used the actual benefit payable to the early retiree (i.e., the "RIB") when determining whether the family maximum was reached, but instead used the benefit amount (i.e., the "PIA") that the early retiree would have received had they chosen to wait to receive benefits at full retirement age. By using the higher, unpaid amount, the Lawsuit alleges that the agency improperly reduced the benefits payable to the children on the Early Retiree's account. [Capitalized terms in quotations are defined on the back of this sheet.]

In denying the agency's motion to dismiss, the District Court has ruled that "the SSA has been interpreting Section 403 incorrectly" and "the Social Security Act provides that the SSA use only 'actually payable benefits'—not those theoretically available—when determining if the family maximum has been reached." February 14, 2025 Memorandum Opinion and Order. SSA denies that it miscalculated benefits or that it owes any money to the class. Final judgment has not yet been entered and SSA has indicated that it intends to seek authority to appeal the District Court's ruling. **There is no guarantee that your child will be entitled to receive any money from this Lawsuit**.

IS YOUR CHILD PART OF THE CLASS?

You are receiving this notice because SSA identified your child as potentially falling within the class defined by the Court as: "All Eligible Children of Early Retirees, where such children, between and including May 10, 2024 and May 30, 2025, received a child's insurance benefit under Section 402(d) of the Social Security Act (the "Act") that was reduced under Section 403(a)(1) of the Act because the Social Security Administration (the "SSA") used the PIA of the Early Retiree instead of the RIB in determining whether the Family Maximum was exceeded, and therefore such children may be entitled to past due benefits." Excluded from the class are: "(i) Eligible Children who are deceased, (ii) Eligible Children who are not United States citizens, and (iii) Eligible Children of an Early Retiree who ever had excess earnings under Section 403(b)."

WHO REPRESENTS THE CLASS MEMBERS?

The Court has appointed the law firm of Kelley Drye & Warren LLP as Class Counsel to represent members of the class and appointed Plaintiff L.N.P., an Early Retiree, who is pursuing this action on behalf of his Eligible Children, as the Class Representative. You may instead choose to hire your own lawyer at your own expense to represent you and your children in this case at any time and to appear in court. You may also appear in person yourself without a lawyer.

As permitted by federal law, Class Counsel intends to seek a reasonable fee up to 25% of any past-due benefits paid to class members, with such fee to be paid out of such past-due benefits. The Court will decide what percentage, if any, to award Class Counsel. Class members will not have to pay anything to Class Counsel if they do not obtain a recovery of past-due benefits from SSA. Class members will have the right to submit written comments or objections to the Court regarding the fee application and to appear at any hearing. The deadline for submitting objections and the date, time, and location of any fee hearing will be posted at **www.kelleydrye.com/LNPclassaction** shortly after the information becomes available.

WHAT ARE YOUR OPTIONS?

If you do nothing, your child will remain a member of the class and will be legally bound by all orders and judgments of the Court. Neither you nor your child will be able to sue, or continue to sue, SSA for any potentially past-due benefits that the Lawsuit seeks. If past-due money benefits are awarded to your child, you will be notified, if necessary, about what to do, if anything, to obtain any money benefits owed to your child.

You may also ask for your child to be excluded from the class. If your child is excluded from the class, they will not receive any potentially past-due benefits from this Lawsuit and will not be bound by any orders or judgments of the Court. Your child will retain any rights they may have to separately sue SSA for such benefits or to challenge a determination of benefits through SSA's administrative process. To be excluded from the class, you must send a letter or postcard which states in words or substance: "I and my child(ren) want to be excluded from the class in *LNP v. Bisignano*, Case No. 1:24-cv-01196 (E.D. Va.)." You must also provide your full name, the name of your child(ren), your mailing address, telephone number, and email address. Any request for exclusion must be **postmarked by December 1, 2025** and should be mailed to Class Counsel at the address below.

HOW CAN YOU GET MORE INFORMATION?

If you have any questions or want to review court documents about this Lawsuit, visit **www.kelleydrye.com/LNPclassaction**, write to: **LNP Class Action, Attn: Ira T. Kasdan & Damon W. Suden, Kelley Drye & Warren LLP, 3 World Trade Center, 175 Greenwich Street, New York, New York 10007**, email LNPclassaction@kelleydrye.com, or call +1 (202) 719-6045.

Defined Terms

"**Eligible Children**" means, as set forth in Section 402(d) (1) of the Act, any child of an Early Retiree (i) who filed, or for whom was filed, an application for child's insurance benefits, (ii) who at the time such application was filed was unmarried and either had not attained the age of 18 or was a full-time elementary or secondary school student and had not attained the age of 19, and (iii) who was dependent on such Early Retiree at the time of the application. As necessary, Eligible Children shall also include the child's legal representative and/or representative payee.

"**Early Retiree**" means any individual entitled to receive old-age insurance benefits (but not disability benefits) under Section 402(a) of the Act who applied for and received such benefits prior to reaching full retirement age and therefore received a reduced old-age benefit lower than that of his/her PIA.

"**PIA**" is the primary insurance amount as defined by the Act.

"**RIB**" is the retirement insurance benefit that is actually paid to the Early Retiree.

"**Family Maximum,**" as defined in Section 403(a)(1) of the Act, is the maximum amount of total monthly benefits to which beneficiaries may be entitled under Section 402 of the Act on the basis of the wages and self-employment income of the Early Retiree.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

L.N.P. *on his own behalf and on behalf of his dependent children P.D.P. and L.D.P. and on behalf of all others similarly situated*	)	
Plaintiffs,	)	
- versus -	)	**Case No. 1:24-cv-01196 (MSN/IDD)**
FRANK BISIGNANO, Commissioner of Social Security Administration, ***et al.*****,**	)	
Defendants.	)	

[PROPOSED] ORDER

Upon consideration of the Consent Motion For Approval Of Class Notice Plan, and for good cause shown, it is hereby ORDERED that the motion is GRANTED.

It is further ORDERED that, on or before October 17, 2025, Plaintiffs shall (i) cause the approved notice to be sent by first class U.S. Mail to each class member at the addresses provided by Defendants, and (ii) set up the class website, phone number, and email address as described in the Motion.

It is further ORDERED that, to be timely and effective, all requests for exclusion from the class must be postmarked on or before December 1, 2025.

It is further ORDERED that on or before December 22, 2025, Class Counsel shall file a report certifying that notice was provided in accordance with this Order and providing a list of the names of any individuals who timely excluded themselves from the class.

ENTERED this ____ day of ________________ 2025 in Alexandria, Virginia.

____
United States District Judge