

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACKSON'S FIVE STAR CATERING, INC.,

Plaintiff,

v.

Case No. 10-10010

Honorable Julian Abele Cook, Jr.

JOHN R. BEASON d/b/a TAX CONNECTION
WORLD and TAX CONNECTION WORLDWIDE
LLC,

Defendants.

ORDER

This matter having come before the Court on April 12, 2011, upon Defendant John R. Beason's motion to dismiss and Plaintiff Jackson's Five Star Catering's motion for class certification, and the Court being otherwise fully advised in the premises:

It is hereby ordered that, for the reasons stated on the record, (1) Defendant's motion to dismiss is denied; and (2) Plaintiff's motion for class certification is granted. The Court therefore:

(1) Certifies the following class:

All persons who were successfully sent one or more faxes on January 5, 2006, from "Tax Connection World Wide" of Detroit, Michigan, stating, "It's income tax time" and offering "Fast 24 Hr. Rapid Refunds."

(2) Concludes that Jackson's Five Star Catering, Inc., is an adequate class representative and appoints it to represent the class of those individuals who satisfy the class definition.

- (3) Appoints the Plaintiff's counsel - the law firms of Sommers Schwartz, P.C., Anderson + Wanca, and Bock & Hatch, LLC - as class counsel.
- (4) Directs the Plaintiff to prepare a proposed notice and plan for dissemination of the same to the class members which must be submitted to the Court within ten (10) days from the date of this order.

IT IS SO ORDERED.

Date: April 20, 2011
Detroit, Michigan

s/Julian Abele Cook, Jr.
JULIAN ABELE COOK, JR.
U.S. District Court Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on April 20, 2011.

s/ Kay Doaks
Case Manager