IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

ORDER

For the reasons set forth in the accompanying Memorandum Opinion, it is this 5th day of January, 2024, ORDERED that:

(1) Plaintiffs' motion to decertify the First Mariner Class, ECF 82, is DENIED; however, this Court's March 29, 2022 Order certifying the First Mariner Class, ECF 47, is AMENDED and the class definition is MODIFIED to the following:

All individuals in the United States who were borrowers on a mortgage loan (a) obtained from First Mariner Bank for a home in Maryland, Florida, Ohio, North Carolina, Virginia, or California; (b) for which All Star Title, Inc. provided a settlement service, as identified in Section 1100 on the HUD-1, between January 1, 2012 and January 31, 2016; and (c) for which the overall charges for title services exceeded \$500 plus the cost of title insurance. Exempted from this class is any person who, during the period of January 1, 2012 through January 31, 2016, was an employee, officer, member and/or agent of First Mariner Bank, Howard Bank, or All Star Title, Inc.

(2) The remaining portion of Defendant's cross-motion for summary judgment, ECF 81, is DENIED.¹

¹ This Court previously granted in part, denied in part, and deferred in part Defendant's cross-motion for summary judgment. ECF 109. This Court now denies the deferred portion of the cross-motion.

(3) An opt-out notice shall be disseminated to members of the First Mariner Class to advise them that they may forfeit their opportunity to raise certain damages claims, including but not limited to those related to title insurance overcharges, by remaining in the class. The parties shall meet and confer about the form and substance of such notice and provide a status update to the Court by Tuesday, January 23, 2024.

/s/
Stephanie A. Gallagher
United States District Judge