

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

SIOBHAN MORROW and TRACEE LE
FLORE, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

NAVY FEDERAL CREDIT UNION,

Defendant.

Case No. 1:21-cv-722-MSN-LRV

MARIA HART and TRACEE LE FLORE,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

NAVY FEDERAL CREDIT UNION,

Defendant.

Case No. 1:22-cv-844-MSN- LRV

**JOINT OPPOSITION TO NON-PARTY
CARLTON XAVIER MATHEWS' MOTION FOR JOINDER**

Plaintiffs Siobhan Morrow, Tracee LeFlore, and Maria Hart (“Plaintiffs”) and Defendant Navy Federal Credit Union (“Navy Federal”) (collectively the, “Parties”) respectfully submit this Opposition to Non-Party Carlton Xavier Mathews’ Motion for Joinder, which he titles a Supplemental Complaint (Dkt. No. 248).

Mr. Mathews’ Motion for Joinder should be denied because he is not a class member in this case. Navy Federal has reviewed its member account records and confirmed that while Mr.

Mathews had opened a Navy Federal savings account on March 14, 2013, that account was closed on September 3, 2013 pursuant to Navy Federal’s banking and account policies as it was holding a zero balance. Barnett Decl. ¶¶ 4–5.¹ No International Service Assessment Fees were ever assessed on Mr. Mathews’ account. *Id.* ¶ 6. Mr. Mathews has not had a Navy Federal account since September 3, 2013. *Id.* ¶ 7. Because the Class Period in this action begins on August 9, 2016, Mr. Mathews cannot be a class member in this action.

Furthermore, Mr. Mathews has a history of filing motions for joinder in class actions during the class settlement approval process regardless of whether he is a party. *See In Re Pork Antitrust Litigation*, Case No. 0:18CV01776, Dkt. No. 2150 (D. Minn. March 18, 2024) (motion for joinder filed in the wrong case alleging that Mr. Mathews was a party to an arbitration against Sysco Corporation); *In Re Pork Antitrust Litigation*, Case No. 0:18CV01776, Dkt. No. 2151 (D. Minn. March 20, 2024) (plaintiffs’ counsel confirming that Mr. Mathews was not a party to the arbitration agreement in the action against Sysco Corporation).

Therefore, for the foregoing reasons, the Parties request that the Court deny Mr. Mathews’ Motion for Joinder.

Dated: July 5, 2024

Respectfully submitted,

/s/ Heather Whitaker Goldstein

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¹ Any citations to “Barnett Decl.” refer to the Declaration of Vivian Barnett dated July 5, 2024, filed contemporaneously herewith.

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