

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

ELIZABETH TRAPP, et. al.,	) CLASS ACTION
	)
Plaintiffs,	)
	)
v.	) CAUSE NO: 4:10-cv-0053-DML-RLY
	)
JACKSON COUNTY, et. al.	)
	)
Defendants.	)

**ORDER (1) PRELIMINARILY APPROVING STIPULATION
OF SETTLEMENT INCLUDING CLASS COUNSEL'S FEES;
(2) APPROVING THE FORM AND MANNER OF NOTICES TO THE CLASS
MEMBERS OF THE PROPOSED SETTLEMENT; AND
(3) SCHEDULING A FAIRNESS HEARING FOR THE FINAL CONSIDERATION AND
APPROVAL OF THE STIPULATION OF SETTLEMENT**

The Court has considered the Joint Motion for an Order (1) Preliminarily Approving Stipulation of Settlement, Including Class Counsel's Fees; (2) Approving the Form and Manner of Notice to Class Members of the Right to Object to the Proposed Settlement; (3) Scheduling a Fairness Hearing for the Final Consideration and Approval of the Stipulation of Settlement; and (4) Finally Approving the Stipulation of Settlement Following the Fairness Hearing (the "Joint Motion"). The Court finds that:

A. Based on the range of possible outcomes and the cost, delay, and uncertainty associated with further litigation, the proposed settlement is reasonable and cost-effective, and preliminary approval of the settlement is warranted.

B. The Stipulation of Settlement attached to the Joint Motion as Exhibit A should be preliminarily approved.

C. Individual notice to all class members by first class mail, postage prepaid, at their last

known address as indicated in Defendants' records is the best notice practicable under the circumstances and complies with the requirements of Fed. R. Civ. P. 23(e), and such mailing should be made by Class Counsel within ten (10) days following the entry of this order.

D. The contents of the Notice of Class Certification and Proposed Settlement (the "Notices") attached to the Joint Motion as Exhibit B meets the requirements of Fed. R. Civ. P. 23. The proposed Notice is a neutral and comprehensive document that fairly apprises the Class Members of (i) the nature of the class action, (ii) the definition of the classes, (iii) the class claims, issues and defenses, and (iv) the essential terms of the proposed settlement. The Notices also provide Class Members (i) with an opportunity to obtain any necessary further information, (ii) apprises them of the right to object to the proposed settlement and the procedure and deadline for exercising that right, (iii) the right to appear by counsel, (iv) the date of the hearing for this Court's final approval of the settlement, and (v) the binding effect of the settlement on the Class. A hearing on the final approval of the Stipulation of Settlement should be held not sooner than 60 days after the entry of this Order so that Class Members will have not less than 30 days from such mailing to secure further information regarding the relief sought by this Joint Motion, to object to the proposed settlement, and to appear by counsel.

E. Any objections by Class Members to the settlement shall be filed with the Court and served on Defendants' counsel and Class Counsel no later than 30 days after mailing of the notice.

F. Any responses by Class Counsel and/or Defendant's counsel to objections filed and served by Class Members to the settlement shall be filed with the Court by no less than 10 days before the fairness hearing.

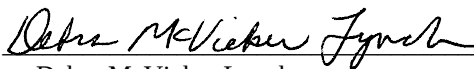
G. Other good and sufficient cause exists for granting the relief requested in the Joint

Motion.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Joint Motion is GRANTED.
2. The Stipulation of Settlement, including Class Counsel's fees, is hereby preliminarily approved.
3. The form of the Notice and the service of the Notice by Class Counsel by first class mail, postage prepaid, to each individual Class Member at her last known address contained in Defendants' records is hereby approved as the best notice practicable under the circumstances.
4. The Notice shall be mailed by Class Counsel to the individual class members within 10 days following the entry of this order.
5. Any objections by Class Members to the settlement shall be filed with the Court and served on Defendants' counsel and Class Counsel no later than 30 days after mailing of the notice.
6. Any responses by Class Counsel and/or Defendants' counsel to objections filed and served by Class Members to the settlement shall be filed with the Court by no less than 10 days before the fairness hearing.
7. The Court shall conduct a hearing for final consideration and approval of the proposed Stipulation of Settlement on October 1, 2012, at 11:00 a.m., in Room 200, of the United States Courthouse, located at 121 West Spring Street, New Albany, Indiana, before Magistrate Judge Debra McVicker Lynch.

DATE: 07/16/2012


Debra McVicker Lynch
United States Magistrate Judge
Southern District of Indiana