

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

Arie Zmora, Geoffrey Tabakin, Laurinda
Stryker, Robbi Hoy, and all others
similarly situated,

File No. 01-CV-1905 JEL/JGL

Plaintiffs,

vs.

**ORDER APPROVING CLASS
ACTION SETTLEMENT**

State of Minnesota, the Minnesota State
College and University System, the
Board of Trustees of the Minnesota State
Colleges and Universities, St. Cloud
State University, James H. McCormick,
Roy H. Saigo, Richard D. Lewis, Don L.
Hofsommer, and Suzanne L. Williams,

Defendants,

and

The Inter-Faculty Organization,

Defendant-Indispensable Party.

This matter came before the Court for a fairness hearing on February 10, 2003. Judith K. Schermer, Daniel W. Schermer, Donald S. Arbour, and Beau D. McGraw appeared on behalf of the plaintiffs; Gary S. Cunningham and David Merchant appeared on behalf of the defendants.

It appearing to the Court that notice of the proposed settlement was mailed to all members of the settlement class and that there are no objections to the settlement.

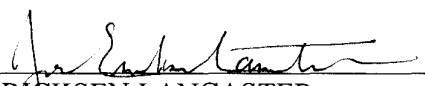
It appearing further that the case of Robbi Hoy has been severed from the class action and has been settled separately.

Now therefore, upon all of the files, records and proceedings herein, and upon the arguments of counsel, the Court being fully informed in the premises, IT IS HEREBY ORDERED:

1. **Certification of Class Confirmed.** The settlement class that the Court heretofore provisionally certified by Order dated December 5, 2003 is hereby confirmed and certified as the Settlement Class. Plaintiffs Arie Zmora and Laurinda Stryker are confirmed as class representatives and Judith K. Schermer, Daniel W. Schermer, Donald S. Arbour, and Beau D. McGraw are confirmed as class counsel.
2. **Approval of Settlement.** The settlement is, after hearing, determined to be fair, reasonable, and in the best interests of the class. It is therefore approved.
3. **Distribution of Settlement Funds.** The defendants shall make payment to the named plaintiffs and members of the settlement class (who have not excluded themselves) as specified in the Class Settlement Agreement and Release of All Claims (hereafter, "settlement agreement") and the individual settlement agreements of the named plaintiffs.
4. **Payment of Attorney's Fees and Expenses.** The defendants shall pay to class counsel attorneys' fees and costs as specified in the settlement agreement. The named plaintiffs shall have no liability for attorneys' fees or costs above and beyond amounts they have heretofore paid to their attorneys. The members of the settlement class shall have no liability for attorney's fees or costs.

5. **Reserved Jurisdiction of Court.** In the event of an alleged breach of the terms of the settlement agreement, this court shall retain jurisdiction to hear enforcement actions brought by class members against the Minnesota State Colleges and Universities, St. Cloud State University, or the Inter-Faculty Association for a period of one year from the date of this Order.

Dated: February 10, 2003



JOAN ERICKSEN LANCASTER
United States District Judge