

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

JOSE ROSILES-PEREZ, JESUS)
SANTIAGO-SALMORAN, and HECTOR)
ORTIZ-MORA, on behalf of themselves)
and all others similarly situated,) Case No. 1:06-CV-0006
)
Plaintiffs,) Judge William J. Haynes, Jr.
)
SUPERIOR FORESTRY SERVICE, INC.,)
WILLIAM IOUP, SCOTT BARSTOW,)
ENRIQUE GONZALEZ,)
HECTOR SANTILLAN, and)
MANUEL MORALES-MARTINEZ,)
)
Defendants.)

FINAL JUDGMENT ORDER

This matter is before the Court on the Parties' Joint Motion for Entry of Final Judgment. IT IS HEREBY ORDERED:

1. The Court previously granted preliminary approval to the class action settlement in this case on February 11th, 2010. (Doc. 517.) The Court held a final fairness hearing with respect to the class action settlement on March 26th, 2010, and entered an Order granting final approval to the settlement. (Doc. 524.)

2. For purposes of the claims brought under the Migrant and Seasonal Agricultural Worker Protection Act, which were previously certified by this Court

for class action treatment pursuant to Federal Rule of Civil Procedure 23 (Doc. 305), the settlement covers the following class of individuals:

All non-supervisory workers admitted as H-2B temporary foreign workers pursuant to 8 U.S.C. § 1101(a)(15)(H)(ii)(b) and who were employed by Defendants at any time from December 1, 1999 to January 25, 2006.

For individuals who were employed at some point by the Defendants on an H-2B visa between December 1, 1999 and January 25, 2006, this class definition includes all seasons in which they worked through the 2008-2009 season.

3. All of the class members identified above were provided notice by mail of the pendency of this class action and an opportunity to exclude themselves, and were again provided notice by mail of the class action settlement and an opportunity to exclude themselves and/or file objections to the settlement. The Court finds that the notice given to the class satisfied the requirements of due process and Rule 23(e) of the Federal Rules of Civil Procedure.

4. There remain eight (8) individuals who filed exclusion forms with the Court prior to the settlement, and who have not withdrawn those exclusion forms. As such, the following eight (8) individuals, and only these eight (8) individuals, are excluded from the class covered by the settlement and this final judgment Order, other exclusion forms having been filed erroneously and withdrawn: Aaron Gonzalez Chavez, Pedro Justino Gonzaga Espinoza, Ignacio Jesus Sanchez

Gonzalez, Felipe Avila Rodriguez, Roberto Hernandez Morales, J. Jesus Manzano Gutierrez, Sergio Martinez De La Cruz, and David Reyes Paulino.

5. As stated by the Court during the fairness hearing in this matter and in the Court's March 26, 2010 Order (Doc. 524), the Court approves the settlement and its terms as fair, reasonable, and adequate, and approves the amounts to be paid to the Plaintiffs and the class members, as well as the costs and attorneys' fees to be paid to Class Counsel pursuant to the settlement.

6. Settlement Services, Inc., of Tallahassee, Florida, is appointed to act as the Settlement Administrator, pursuant to the terms of the settlement, and will work under the direction of Class Counsel.

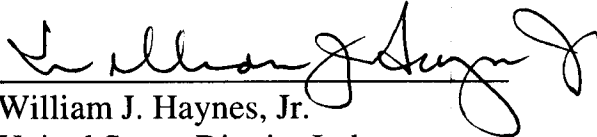
7. By means of this Order, this Court hereby enters final judgment in this action, as defined by Federal Rule of Civil Procedure 58(a)(1).

8. Without affecting the finality of this final judgment in any way, the Court retains jurisdiction of all matters relating to the interpretation, administration, implementation, effectuation, and enforcement of this Order and the settlement.

9. The parties are hereby ordered to implement and comply with the terms of the settlement, including the Injunctive and other Non-Monetary Relief provisions of Section I.M.

10. This action is dismissed with prejudice, subject to the terms of the settlement agreement.

Dated: July 17th, 2010



William J. Haynes, Jr.
United States District Judge