

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 06-cv-01405-WYD-MJW

CLARENCE VANDEHEY,
WILLIAM LANGLEY,
SAMUEL LINCOLN, and
JARED HOGUE,

Plaintiffs, on behalf of themselves and all others similarly situated,

v.

LOU VALLARIO, Sheriff of Garfield County, Colorado, in his official capacity; and
STEPHEN HOPPLE, a Commander in the Garfield County Sheriff's Department, in
his official capacity,

Defendants.

JOINT STATUS REPORT

Pursuant to the Court's Minute Order dated January 21, 2011, the parties, through respective counsel, hereby file this Joint Status Report.

1. The Defendants, counsel for Defendants and counsel for Plaintiffs attended a settlement conference with Judge Watanabe on January 20, 2011, at which counsel for the Plaintiffs and Defendants reached agreement, subject to approval by the four named Plaintiffs, on a preliminary Memorandum of Understanding outlining the terms of a settlement of the above-captioned action.

2. Plaintiffs' counsel agreed to seek the approval and consent to the Memorandum of Understanding from each of the named plaintiffs so that a Settlement Agreement could be prepared and executed on behalf of the named Plaintiffs by their counsel and by the Defendants.

3. Plaintiffs have obtained the written consent to the Memorandum of Understanding and obtained authority to sign the Settlement Agreement on behalf of three of the named Plaintiffs – Clarence Vandehey, Samuel Lincoln and Jared Hogue.

4. Plaintiffs' counsel is continuing to communicate with Plaintiff William Langley, who has received a copy of the Memorandum of Understanding and is considering its terms. Plaintiffs' counsel expects a response from Plaintiff Langley within the next week.

5. In the meantime, a proposed final Settlement Agreement has been drafted by Plaintiffs' counsel and has been submitted to Defendants' counsel for review and comment. It is expected that a draft of the Settlement Agreement will be finalized within the next week.

6. Plaintiffs' counsel is considering alternative procedures in the event that Plaintiff Langley does not provide his consent to the Memorandum of Understanding and will pursue an alternative path to the finalization of the Settlement Agreement should Plaintiff Langley choose to opt out of the settlement within the next week. Plaintiffs' counsel will keep Defendants' counsel informed of Mr. Langley's decision.

7. The Parties do not anticipate that the Settlement Agreement will require Court approval under Fed. R. Civ. P. 23(e), but will seek the Court's approval of a voluntary dismissal of the action under Rule 41(a)(2) once the Settlement Agreement is fully executed.

Dated this 18th day of March, 2011.

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CERTIFICATE OF SERVICE

I hereby certify that on March 18, 2011, I electronically filed the foregoing **JOINT STATUS REPORT** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following addresses:

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