

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

CIVIL ACTION NO. 05-130-C

KIMBERLY MIRACLE, ET AL.

PLAINTIFF,

V.

ORDER

BULLITT COUNTY, KENTUCKY, ET AL.,

DEFENDANTS.

* * * * *

A motion hearing was held before the undersigned on July 31, 2008, in Lexington. Gregory A. Belzley and Mark B. Wallace appeared on behalf of the plaintiffs. David P. Bowles and Stacey A. Blankenship appeared on behalf of the defendants. The proceedings were reported by Georgene Scrivner.

The court having heard from counsel for the parties, and being otherwise sufficiently advised,

IT IS ORDERED that Analytics Inc. is approved as the claims administrator in this matter.

IT IS FURTHER ORDERED that the listed counsel of record for the plaintiffs in this action are appointed as class counsel for the reasons stated on the record. In appointing class counsel, the court considered the following: (i) the work counsel has done in identifying or investigating potential claims in the action; (ii) counsel's experience in handling class actions, other complex litigation, and the types of claims asserted in the action; (iii) counsel's knowledge of the applicable law; and (iv) the resources that counsel will commit to representing the class.

IT IS FURTHER ORDERED that the court, having requested identification of any agreement made in connection with the proposed settlement, and having been advised that there are none, finds that there are no other outside agreements.

IT IS FURTHER ORDERED that the motion for class certification is granted for reasons stated on the record. A written opinion will issue separately.


IT IS FURTHER ORDERED that the parties' joint motion for preliminary approval of the settlement agreement [DE 40] is **GRANTED** for reasons stated on

the record. A written opinion will issue separately.

IT IS FURTHER ORDERED that the parties shall file the a motion for approval of the final notice and claim form. The parties may request a hearing on the motion, to be held either in court or by telephone.

TIC: 1/25

Signed on August 4, 2008


Jennifer B. Coffman, Judge
United States District Court