

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

JOAN BZDAWKA, et al.,

Plaintiffs,

v.

Case No. 04-C-0193

MILWAUKEE COUNTY, et al.,

Defendants.

ORDER PRELIMINARILY APPROVING THE PROPOSED SETTLEMENT
AGREEMENT, DIRECTING DISTRIBUTION OF THE NOTICE OF PROPOSED
SETTLEMENT AGREEMENT, AND SCHEDULING FAIRNESS HEARING

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, the Court having reviewed the proposed Settlement Agreement negotiated between the parties (the “Settlement Agreement”), a copy of which is attached to the parties’ Joint Motion for Preliminary and Final Approval of the Settlement Agreement, and for an Order Directing Distribution of Notice of Proposed Settlement Agreement and Scheduling Fairness Hearing (the “Joint Motion”) as Exhibit A; the Joint Motion; the Joint Memorandum in Support of the Joint Motion for Preliminary and Final Approval of the Settlement Agreement, and for an order Directing Distribution of Notice of Proposed Settlement Agreement and Scheduling Fairness Hearing (the “Joint Memorandum”); the Notice of Proposed Settlement Agreement (the “Notice”) attached to the Joint Motion as Exhibit B; and the Proposed Plan for Distribution of Notice of Proposed Settlement Agreement (the “Plan”) attached to the Joint Motion as Exhibit C, hereby:

1. FINDS that the proposed Settlement Agreement is within the range of possible approval, and that there is good reason to notify the class members of the proposed settlement and to proceed with a fairness hearing. Fed. R. Civ. P. 23(e)(1)(B) and (C); *Armstrong v. Board of Sch. Directors*, 616 F.2d 305, 314 (7th Cir. 1980), *overruled on other gds. by Felzen v. Andreas*, 134 F.3d 873, 875 (7th Cir. 1998).

2. APPROVES the contents of the Notice.

3. APPROVES the Notice distribution procedures set forth in the Plan.

4. ORDERS that the Notice be distributed as set forth in the Plan.

5. ORDERS that any additional memoranda by counsel for the parties in support of the Joint Motion and proposed Settlement Agreement shall be filed with the Court on or before September 25, 2007, pursuant to electronic case filing procedures for the U.S. District Court for the Eastern District of Wisconsin.

6. ORDERS that the deadline for receipt by the Court of any other written comments and/or objections regarding the proposed Settlement Agreement shall be 4:30 p.m., on September 25, 2007, and that all such written comments and/or objections shall be filed with the Clerk of Court at the Federal Courthouse, Room 362, 517 East Wisconsin Avenue, Milwaukee, WI 53202-4500.

7. ORDERS that any written responses by counsel for the parties to any written comments and/or objections by regarding the proposed Settlement Agreement shall be filed with the Court on or before October 9, 2007, pursuant to electronic case filing procedures for the U.S. District Court for the Eastern District of Wisconsin.

8. ORDERS that the Court shall hold a fairness hearing on October 19, 2007, at 1:30 p.m., in Room 390 of the United States Courthouse, 517 East Wisconsin Avenue,

Milwaukee, Wisconsin, to consider whether the proposed Settlement Agreement is fair, reasonable, and adequate.

9. ORDERS that persons wishing to address the Court at the fairness hearing may so inform the Court in writing filed by 4:30 p.m. on September 25, 2007, with the Clerk of Court at the Federal Courthouse, Room 362, 517 East Wisconsin Avenue, Milwaukee, WI 53202-4500.

Dated at Milwaukee, Wisconsin, this 21 day of August, 2007.

SO ORDERED:

/s _____
THE HONORABLE LYNN S. ADELMAN
United States District Judge

a.