

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:06-CT-3135-FL

JOSEPH JOHN URBANIAK, JR.,)
 Plaintiff,)
)
 v.)
)
SERGEANT DONNIE STANLEY, et)
al.,)
 Defendants.)

ORDER

NO. 5:07-CT-3145-H

EDWARD ALLEN, et al.,)
 Plaintiffs,)
)
 v.)
)
SECRETARY THEODIS BECK, et al.,)
 Defendants.)

ORDER

This matter is before the court on joint motion of the parties to approve notice of proposed settlement (DE # 46). For the reasons that follow, parties' motion is DENIED.

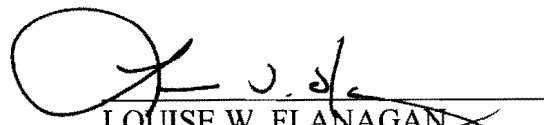
On March 29, 2010, the court directed the parties to file a proposed notice of the settlement and description of the method through which the parties will provide notice to class members. On April 12, 2010, the parties tendered this proposed notice to the court. The proposed notice recites the parties in the case, states the parties have reached a proposed settlement, and notifies the class how they may review and object to the settlement. Said proposed notice, however, is silent as to the aspects of the settlement or any potential binding effect it may have on the parties.

While there is no strict requirements regarding what a notice must contain to be reasonable,

it must at least apprise class members of the terms of the proposed settlement “so that class members may come to their own conclusions about whether the settlement serves their interests.” Int’l Union v. General Motors Corp., 497 F.3d 615, 630 (6th Cir. 2007). As the proposed notice fails to apprise the class members of the terms of settlement, the court rejects it.

The parties are ORDERED to revise and resubmit a proposed notice to the court which addresses the terms of settlement and alerts class members to the potential effect of any settlement on their rights. The parties shall file this revised notice no later than fourteen (14) days from entry of this order.

SO ORDERED, this the 14 day of April, 2010.


LOUISE W. FLANAGAN
Chief United States District Judge