

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 20-cv-01878-RBJ (consolidated with 20-cv-01922-RBJ)

ELISABETH EPPS, *et al.*,

Plaintiffs,

v.

CITY AND COUNTY OF DENVER, *et al.*,

Defendants.

ORDER

After consideration of the Motion for Final Approval of Class Action Settlement and after a hearing on this matter held on November 20, 2023, the Court orders as follows:

(1) The Court has personal jurisdiction over all Settlement Class Members and subject matter jurisdiction to approve the Class Action Settlement Agreement (“Settlement Agreement”) (filed at Dkt. 494-1);

(2) The Court finds that the Settlement Agreement is fair, reasonable and adequate as to, and in the best interests of, the Settlement Class Members;

(3) The Court orders the parties and their counsel to implement and consummate the Settlement Agreement according to its terms and conditions;

(4) The Court declares the Settlement Agreement to be binding on, and have *res judicata* and preclusive effect in, all pending and future lawsuits or other proceedings maintained by the Plaintiffs and all other Settlement Class Members and Releasing Parties, relating to the Released Claims;

(5) The Court finds that the Notice implemented pursuant to the Settlement Agreement (a) constitutes the best practicable notice under the circumstances, (b) constitutes notice that is reasonably calculated, under the circumstances, to apprise the Settlement Class Members of the pendency of the Action, their right to object to or exclude themselves from this Settlement Agreement and to appear at the Final Approval Hearing, (c) is reasonable and constitutes due, adequate and sufficient notice to all persons entitled to receive notice, and (d) meets all applicable requirements of the Federal Rules of Civil Procedure, the Due Process Clause of the United States Constitution and the rules of the Court;

(6) The Court finds that the Class Representatives and Class Counsel adequately represented the Settlement Class for purposes of entering into and implementing the Agreement;

(7) The Court dismisses the Released Claims on the merits and with prejudice, without fees or costs to any party except as provided in the Settlement Agreement and as otherwise approved by the Court;


(8) The Court incorporates the Release set forth above, makes the Release effective as of the date of the Final Judgment under Rule 54(b), and forever discharges the Released Parties as set forth in the Settlement Agreement;

(9) The Court authorizes the parties, without further agreement from the Court, to agree to and adopt such amendments, modifications, and expansions of the Settlement Agreement and its implementing documents that (a) shall be consistent in all material respects with the Final Judgment, and (b) do not limit the rights of Settlement Class Members; and

(10) Without affecting the finality of the Final Judgment pursuant to Rule 54(b) for purposes of appeal, the Court retains jurisdiction as to all matters relating to administration,

consummation, enforcement and interpretation of the Settlement Agreement and the Final Judgment, and for any other necessary purpose.

11/20/2023
Date



R. Brooke Jackson
Senior United States District Judge