

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

JAMES WARREN, JR., <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 1:24-cv-00126-TWP-MJD
	)	
HOWARD COUNTY SHERIFF, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**Motion to Approve Class Notice and Manner of Notice to the Class and to Set Case  
for Fairness Hearing**

Plaintiffs, by counsel, say that:

1. The parties on this date have filed their Stipulation to Enter into Private Settlement Agreement Following Notice to the Class and Fairness Hearing.
2. Federal Rule of Civil Procedure 23(e) requires that notice be given to the class prior to the Court determining whether the Stipulation is a fair, reasonable, and adequate resolution of this case.
3. Attached to this motion is a proposed class notice that plaintiffs request that the Court approve and be given to the class as required by Rule 23(e).
4. Additionally, in order to comply with Federal Rule of Civil Procedure 23(h), plaintiffs also propose that the petition for attorneys' fees, filed on this date, be attached to the proposed class notice.

5. In the parties' Stipulation they propose that notice to the class will be provided as follows, by: (a) hand delivery of the notice by jail officers to each detainee in the existing Jail on an agreed upon date; and (b) posting a copy of the notice in a prominent place in each living area of the existing Jail for 30 days.

6. The notice provides that prisoners receiving a hand-delivered copy of the notice will also receive a copy of the motion for attorneys' fees and costs. The notice also provides that copies of the fee motion will be provided upon request if detainees are not present at the time of distribution of the notice.

7. The Stipulation further provides that plaintiffs' counsel and counsel for the certified class will, after the 30-day period noted above, report back to the Court as to all comments they have received from the class so the Court can be apprised prior to conducting a hearing to determine if the Stipulation is a fair, reasonable, and adequate settlement of this matter.

WHEREFORE, plaintiffs request that this Court approve of the form and manner of notice as proposed in this case and that plaintiffs' counsel be ordered to report back to this Court as to any comments received concerning the settlement after a 30-day comment period, that this Court set the matter for a fairness hearing, and for all other proper relief.

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