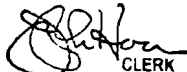


UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**  
NOV 24 2009  
  
CLERK

NICOLE STAUFFACHER,	)	
JILLIAN CLARK, AND ROSS	)	
ENGELBRECHT, Individually	)	
and on behalf of all other	)	
persons similarly situated,	)	
	)	CIV 00-4202
Plaintiffs,	)	
	)	
v.	)	
	)	
MINNEHAHA COUNTY, SOUTH	)	
DAKOTA,	)	
Defendant.	)	

**FINAL ORDER APPROVING CLASS SETTLEMENT  
AND APPROVING CERTIFICATION OF CLASS  
FOR SETTLEMENT PURPOSES**

WHEREAS, plaintiffs Nicole Stauffacher, Jillian Clark, and Ross Engelbrecht ("Plaintiffs") and defendant, Minnehaha County ("Defendant"), having made a joint motion for an order approving the settlement of this case in accordance with a Settlement Agreement, fully executed on June 25, 2009 (the "Settlement Agreement" or "Settlement"), which, together with the Exhibits annexed thereto, sets forth the terms and conditions for a settlement of this case on a class-wide basis and for dismissal of the case with prejudice upon the terms and conditions set forth therein;

WHEREAS, the Court has read and considered the Settlement Agreement, the Exhibits annexed thereto, Parties' Joint Motion for Preliminary Approval of the Settlement

and all accompanying papers, the Parties Joint Status Report filed on October 30, 2009 and Plaintiffs' petition for attorneys' fees and costs.

WHEREAS, no class members filed any objections to the proposed Settlement or opted-out of participation in the settlement by the Court-ordered deadline;

WHEREAS, the Court having conducted a hearing in open court on November 16, 2009, which was attended by two class representatives and three members of the class and during such hearing, class members were given an opportunity to raise any objections to the Settlement to be considered by the Court:

**NOW THEREFORE, THE COURT FINDS AND ORDERS AS FOLLOWS:**

1. For purposes of the Settlement, the Court has subject matter and personal jurisdiction over the parties and this dispute.

2. This Order incorporates by reference the definitions in the Settlement Agreement submitted by the Parties, and all terms shall have the same meaning as set forth in the Settlement Agreement.

3. The following Settlement Class is certified, for settlement purposes only, pursuant to Rule 23(b)(3) of the Federal Rules of Civil Procedure:

All persons who were charged with minor or non-felony offenses from November 1, 1997 to December 31, 2003, and were strip searched fully naked at the Minnehaha County Juvenile Detention Center.

4. With respect to the Settlement Class, this Court finds, solely for purposes of this Settlement that: (a) the Settlement Class members are so numerous that joinder of all

Settlement Class members in the action is impracticable; (b) there are questions of law and fact common to the Settlement Class that predominate over any individual questions; (c) the claims of the Named Plaintiffs are typical of the claims of the Settlement Class; (d) Named Plaintiffs and their counsel will and can fairly and adequately represent and protect the interests of all of the Settlement Class members; and (e) a class action is superior to other available methods for the fair and efficient adjudication of the controversy, considering: (i) the interests of the Settlement Class members in individually controlling the prosecution of the separate actions; (ii) the extent and nature of any litigation concerning the controversy already commenced by Settlement Class members; (iii) the desirability of continuing the litigation of these claims in this forum; and (iv) the difficulties likely to be encountered in the management of the class action.

5. The Named Plaintiffs and Class Counsel have fairly and adequately represented and protected the interests of the Settlement Class.

6. Notice has been accomplished as directed by this Court, in a manner that meets the requirements of Rule 23 and due process and was the best notice practicable under the circumstances.

7. The Court approves, as fair and reasonable, Plaintiffs' request for \$225,500 in attorneys' fees and costs, which includes \$43,000 for out-of-pocket expenses and \$182,500 in fees.


8. The settlement reflected in the Settlement Agreement is fair, reasonable, adequate, and in the best interests of the members of the Settlement Class, and it is hereby approved.

9. Judgment is entered dismissing the lawsuit with prejudice in accordance with the terms of the Settlement Agreement.

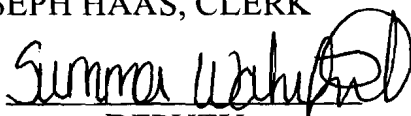
IT IS SO ORDERED.

Dated this 24<sup>th</sup> day of November, 2009.

FOR THE COURT

  
Lawrence L. Piersol  
United States District Judge

ATTEST:  
JOSEPH HAAS, CLERK

By:   
DEPUTY