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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

SHAWN HUSS, a single man, and
others similarly situated,

Plaintiff,

vs.

SPOKANE COUNTY, a municipal
corporation,

Defendants.

No. CV 05-180-FVS

ORDER OF FINAL JUDGMENT
AND DISMISSAL

THIS MATTER having come before the Court for hearing, pursuant to the Order of this Court, dated September 18, 2009, on the application of the *Settling Parties* for approval of the settlement set forth in the *Class Action Settlement Agreement* (the “*Settlement Agreement*” or the “*Agreement*”), and due and adequate notice having been given to the *Settlement Class* (as defined in the *Agreement*) as required in said Order, and the Court having considered all papers filed and proceeding had herein and otherwise being fully informed in the premises and good cause appearing therefore, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1 1. This Order incorporates by reference the definitions in the
2 *Agreement*, and all italicized terms herein shall have the same meanings as set
3 forth in the *Agreement*.

4 2. This Court has jurisdiction over the subject matter of this action and
5 over all members of the *Settlement Class*.

6 3. The notice given to *Class Members* and the other matters set forth in
7 the *Agreement* was the best notice practicable under the circumstances, including:
8 (i) individual *Mailed Notice* to all *Class Members* who could be identified
9 through reasonable effort based upon Spokane County records, National Change
10 of Address Searches, and Advanced Address Searches for *Class Members* whose
11 *Mailed Notice* was returned as undeliverable; (ii) *Publication Notice* twice in
12 English in the *Spokesman Review* and once in Spanish in *La Voz*. Said notice
13 provided due and adequate notice of these proceedings and of the matters set forth
14 in the *Agreement*, including the proposed *Settlement*, to all persons entitled to
15 such notice, and said notice fully satisfied the requirements of Rule 23 of the
16 Federal Rules of Civil Procedure and due process.

17 4. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, this
18 Court hereby approves the *Settlement* as set forth in the *Agreement* and the
19 proposed *Plan of Allocation* as set forth in the *Mailed Notice*. The Court finds that
20 said *Settlement* and the *Plan of Allocation* are, in all respects, fair, reasonable and
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1 adequate with respect to the *Settlement Class*, and directs that the *Settlement* be
2 consummated in accordance with the terms and conditions set forth in the
3 *Agreement* and the *Plan of Allocation*. The Court hereby Orders, Adjudges and
4 Decrees that the *Settlement Agreement* is binding on the *Named Plaintiff*, the
5 *Settlement Class*, and the *Defendant* according to its terms.
6

7 5. *Class Counsel* are hereby awarded, from the *Settlement Amount*,
8 attorneys' fees in the amount of \$147,487.48 and the reimbursement of their
9 expenses in the amount of \$3,376.39. Both amounts are to be paid in accordance
10 with the terms and conditions of the *Agreement*.
11

12 6. The Court has considered the request that it award an *Incentive*
13 *Award* to the *Named Plaintiff* in this action. The Court grants the request. Given
14 the time and energy the *Named Plaintiff* devoted to this case as the sole
15 representative of the class, as well as the favorable results achieved, an *Incentive*
16 *Award* of \$10,000.00 shall be paid to the *Named Plaintiff*, Shawn Huss. The
17 *Incentive Award* shall be paid in accordance with the terms and conditions of the
18 *Agreement*.
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21 7. The Court hereby dismisses this action in its entirety as to
22 *Defendant*, Spokane County, with prejudice and without costs (except as
23 otherwise provided in the *Agreement*).
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