

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

D'ANGELO FOSTER and AMANDA
UNDERWOOD, on behalf of themselves
and
Those similarly situated

Plaintiffs,

v.

CITY OF ALEXANDER CITY and
WILLIE ROBINSON, in his official and
individual capacities,

Defendants.

Case No. 3:15-cv-647-RCL-WC

ORDER

This matter is before the Court on the Parties' Joint Motion for Preliminary Approval of Class Action Settlement Agreement and Notice to Class Members. IT IS HEREBY ORDERED that the joint motion for preliminary approval of class settlement and notice to the class is GRANTED, as follows:

1. The Court finds that the proposed Settlement is within the range of fairness and reasonableness and grants preliminary approval of it.
2. This Court has conditionally certified this case for class action treatment pursuant to Federal Rule of Civil Procedure 23 in a separate order filed this date. This Settlement covers the following class of individuals:

All individuals who, on or between September 8, 2013, and September 8, 2015, were arrested and jailed for their failure to pay fines and court costs by the Alexander City Police Department.

3. A hearing on the fairness and reasonableness of the Settlement and whether final approval shall be given will be held before this Court on August 4, 2017 at 2:00 p.m. in Montgomery, Alabama. At the Final Approval Hearing, the Court will consider:

- a. whether the Settlement Agreement should be finally approved as fair, reasonable, and adequate;
- b. whether a Final Judgment should be entered thereon;
- c. whether Class Counsel fairly and adequately protected the interest of the Settlement Class; and
- d. whether Class Counsel's application for attorneys' fees and class representative compensation should be approved by the Court.

4. The Court appoints Settlement Services, Inc., as the Settlement Administrator.

5. The Court approves as to form and content the proposed Notice and Claim Form attached as Exhibit D to the parties' Settlement, and directs Defendants to provide Class Counsel with the last known addresses of the Settlement Class Members within seven days. The Court further directs Class Counsel to mail the Notice and Claim Form to each Class Members within fifteen days. Class Counsel shall file a Notice with the Court upon completion of the mailing.

6. The Court also approves as to form and content the proposed Publication Notice attached as Exhibit E. The Court further directs Defendants to post this notice in the Courthouse in Jail and Class Counsel to submit this for publication in the Alexander City Outlook every two weeks for a total of six times during the claims period.

7. The Court finds that mailing of Notice to the class members and the publication described in paragraphs 4 and 5 above is the only notice required and that such notice satisfies the requirements of due process and Federal Rule of Civil Procedure 23(e)(1).

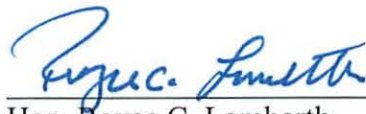
8. Any class member who desires to exclude himself from the action must submit a written request for exclusion to the Clerk of Court that must be received within 90 days after the date the Class Notice is mailed. The Clerk of Court is directed to docket any such correspondence received.

9. Any Class member who wishes to object to the Settlement must submit a written objection to the Clerk of Court that must be received within 90 days after the date the Class Notice is mailed. The Clerk of Court is directed to docket any such correspondence received.

10. The parties may file memoranda in support of the Settlement prior to the fairness hearing. Any submission must be filed no later than ten (10) days prior to the final fairness hearing.

It is so ordered.

Dated: 3/13/17



Hon. Royce C. Lamberth
United States District Judge