

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 14-cv-03111-CMA-KLM

JULIE REISKIN,
JON JAIME LEWIS,
WILLIAM JOE BEAVER,
DOUGLAS HOWEY,
DIANA MILNE,
TINA MCDONALD,
JOSÉ TORRES-VEGA,
RANDY KILBOURN,
JOHN BABCOCK,
KIMBERLEY JACKSON,
PAULINA BLACK,
RUTHIE MCNAIR,
VRLINA NOZLIÇ,
CHERYL QUINLAN,
CHRIS QUINLAN,
ELAINE CULPEPPER,
KEVIN GRIMSINGER, and
COLORADO CROSS-DISABILITY COALITION, a Colorado nonprofit organization, on
behalf of themselves and others similarly situated,

Plaintiffs,

v.

REGIONAL TRANSPORTATION DISTRICT,

Defendant.

**ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR CERTIFICATION OF
A CLASS FOR SETTLEMENT PURPOSES ONLY AND PRELIMINARY APPROVAL
OF SETTLEMENT AGREEMENT**

This matter is before the Court upon Plaintiffs' Unopposed Motion to Certify
Class and for Preliminary Approval of Class Settlement Agreement. (Doc. # 151.)

For the reasons set forth in the Motion and below, this Court hereby grants preliminary approval of the Settlement Agreement among the Parties, filed with this Court as Exhibit 1 to Plaintiffs' Motion. (Doc. # 151-1). Given the procedural posture of this case, the Settlement Agreement is fair and reasonable, and therefore:

- This Court certifies the proposed class for settlement purposes only. The class definition meets all purposes needed for the class in this case.
- This Court appoints Representative Plaintiffs Julie Reiskin, Douglas Howey, Tina McDonald, Randy Kilbourn, and Joe Beaver as the representatives of the Class. This Court finds the Representative Plaintiffs reflect all necessary requirements to be representatives of both the other Plaintiffs in this case and meet the definition of Settlement Class Members set forth in the Settlement Agreement. This definition meets all Due Process requirements of the United States Constitution.
- This Court appoints Kevin Williams and Andrew Montoya of the Colorado Cross-Disability Coalition as Class Counsel. They each meet the necessary qualifications of Class Counsel in this case.
- This Court GRANTS approval of the Notice of Class Settlement, collectively attached as Exhibits D and E to the Settlement Agreement, and authorizes the proposed Class Notice and Notice Procedures described therein.
- For the purpose of preliminary approval, the Settlement Agreement meets all requirements of Fed. R. Civ. P. 23 and the Due Process requirements of the United States Constitution.
- This Court hereby enjoins all Settlement Class Members from initiating or prosecuting any litigation relating to the claims resolved by the Settlement Agreement against RTD pending the Court's entry of Final Order and Judgment.

Accordingly, the Court sets the following deadlines and FURTHER ORDERS that:

- The deadline for CAFA Notice was November 24, 2016.

- Class Notice Procedures shall commence within 14 calendar days of entry of this Preliminary Approval Order.
- Class members shall submit requests for exclusion no later than 30 days after the commencement of Class Notice Procedures.
- Plaintiffs' Motion for Attorneys' Fees is due one week prior to the deadline for objections to the Settlement Agreement.
- Class members shall submit objections, if any, to the Settlement Agreement no later than 60 days after the commencement of Class Notice Procedures.
- Plaintiffs' Motion for Final Approval of the Settlement Agreement is due no later than June 26, 2017.
- A final hearing on Plaintiffs' Motion for Final Approval and Motion for Attorney's Fees is scheduled for July 10, 2017, at 2:00 PM in Courtroom A602 of the Alfred A. Arraj United States Courthouse.

DATED: April 3, 2017

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge