

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
CHIEF JUDGE WILEY Y. DANIEL**

Courtroom Deputy: Emily Seamon
E.C.R./Reporter: Tammy Hoffschildt

Date: December 19, 2012

Civil Action No: **01-cv-00748-WYD-KLM**

Counsel:

ROBERT C. BARR, et al.,

Charles W. Lilley

Daniel J. Millea

Plaintiffs,

v.

**QWEST COMMUNICATIONS COMPANY,
LLC, et al.,**

Michael B. Carroll

Jonathon D. Bergman

Joseph E. Jones

Defendants.

COURTROOM MINUTES

FAIRNESS HEARING

9:08 a.m. Court in Session

APPEARANCES OF COUNSEL.

Court's opening remarks.

Plaintiffs' Unopposed Motion to Allow Non-compliant Exclusion Requests and to Provide Notice of All Exclusion Requests (ECF Doc. No. 155), filed December 18, 2012, is raised for argument.

9:10 a.m. Argument by Mr. Millea.

9:13 a.m. Response by Mr. Carroll.

ORDERED: Plaintiffs' Unopposed Motion to Allow Non-compliant Exclusion Requests and to Provide Notice of All Exclusion Requests (ECF Doc. No. 155), filed December

18, 2012, is **GRANTED**.

Joint Motion for Final Approval of Class-action Settlement and for Award of Attorneys' Fees and Expenses to Settlement Class Counsel and Incentive Awards to Class Representatives (ECF Doc. No. 149), filed November 20, 2012, is raised for argument.

9:18 a.m. Argument by Mr. Millea.

9:56 a.m. Response by Mr. Carroll.

9:57 a.m. Argument by Mr. Millea regarding attorneys' fees and costs.

10:07 a.m. Response by Mr. Carroll.

10:10 a.m. Argument by Mr. Carroll regarding the easement deed by court order.

ORDERED: Parties shall meet and confer and submit the required forms of order by **Monday, January 7, 2013**, including a reference in a pleading that the parties have met and conferred, and are satisfied that the language in the proposed deed is complete and accurate.

ORDERED: Joint Motion for Final Approval of Class-action Settlement and for Award of Attorneys' Fees and Expenses to Settlement Class Counsel and Incentive Awards to Class Representatives (ECF Doc. No. 149), filed November 20, 2012, is **GRANTED**.

Settlement is **APPROVED BY THE COURT**.

10:23 a.m. Court in Recess - HEARING CONCLUDED.

TOTAL TIME: 1:15