

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Robert E. Blackburn, Judge**

Civil Case No 09-cv-01614-REB-MEH

SHANE BASS, individually and on behalf of other similarly situated persons,

Plaintiff,

vs.

PJCOMN ACQUISITION CORP.,
PJCOMN LLC, and
ESSENTIAL PIZZA, INC., d/b/a "PJCOMN,"

Defendants.

**ORDER GRANTING PLAINTIFFS' MOTION FOR CONDITIONAL
COLLECTIVE ACTION CERTIFICATION AND CLASS CERTIFICATION**

Blackburn, J.

This matter is before me on the following: (1) the parties' **Joint Motion To Reopen Litigation To Effectuate Dismissal** [#265]¹; and (2) the parties' **Joint Report To Court and Stipulation of Dismissal** [#266] both filed June 27, 2012. On June 28, 2012, the plaintiff filed a supplement [#267] to the stipulation of dismissal. I grant both motions.

As described in the stipulation of dismissal [#266], defendant PJCOMN Acquisition Corporation filed bankruptcy in September 27, 2012. Ultimately, the United States Bankruptcy court for the District of Maryland entered an order granting final approval of a settlement of this class action against PJCOMN Acquisition Corporation. *Supplement* [#267], Attachment 5 [#267-5]. The parties represent that the settlement approved by the bankruptcy court fully resolves the claims at issue in the above-captioned case. The

¹ "[#265]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

parties ask the court to dismiss the above-captioned case with prejudice.

THEREFORE, IT IS ORDERED as follows:

1. That the parties' **Joint Motion To Reopen Litigation To Effectuate Dismissal** [#265] filed June 27, 2012, is **GRANTED**;

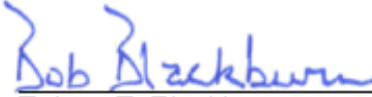
2. That under D.C.COLO.LCivR 41.2, the clerk is **DIRECTED** to reopen this civil action;

3. That the parties' **Joint Report To Court and Stipulation of Dismissal** [#266] filed June 27, 2012, is **APPROVED**;

4. That under FED. R. CIV. P. 41(a)(1)(A)(ii), this case is **DISMISSED** with prejudice, with the parties each to bear their own costs.

Dated July 3, 2012, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge