

UNITED STATES DISTRICT COURT  
DISTRICT OF COLORADO  
Honorable Marcia S. Krieger

Civil Action No. 1:09-CV-03034-MSK

KERRY ODDSON, individually and on behalf of  
a class of others similarly situated,

Plaintiff,

v.

SWIFT & COMPANY,

Defendant.

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**ORDER GRANTING  
PLAINTIFFS' UNOPPOSED MOTION FOR  
APPROVAL OF FAIR LABOR STANDARDS ACT SETTLEMENT**

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The above-entitled matter came before the Court on the Plaintiffs' Unopposed Motion for Approval of Fair Labor Standards Act Settlement (Doc. 26) and Memorandum in Support (Doc. 27). Having reviewed the proposed Settlement Agreement and Release of Claims ("Settlement Agreement"), and the Unopposed Motion and Memorandum in Support, the Court hereby finds that the Settlement Agreement was negotiated at arm's-length by the parties, and that the Settlement Agreement is a fair, equitable, and reasonable resolution of a *bona fide* dispute in contested litigation. The Court hereby **ORDERS** that:

1. The Unopposed Motion for Approval of Fair Labor Standards Act Settlement is **GRANTED**.
2. The Settlement Agreement and Release of Claims is **APPROVED**.
3. The request for approval of the parties' agreement to pay attorneys' fees in the amount representing thirty-five percent (35%) of the settlement proceeds plus out-of-pocket costs is **GRANTED**.
4. The service award to the Named Plaintiff in the amount of \$2,500 is **APPROVED**.

5. The parties are directed to proceed with the administration of the settlement as provided by the terms of the Settlement Agreement.

6. The Clerk is directed to close this case.

DATED this 22<sup>nd</sup> day of July, 2010.

**BY THE COURT:**

A handwritten signature in black ink that reads "Marcia S. Krieger". The signature is written in a cursive style with a prominent dot over the 'i' in "Krieger".

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Marcia S. Krieger  
United States District Judge