

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Wiley Y. Daniel

Civil Action No. 12-cv-02792-WYD-MJW

FREDDIE BELOTE, on behalf of himself and all others similarly situated,

Plaintiff,

v.

RIVET SOFTWARE, INC.,

Defendant.

ORDER

This matter, having come before the Court upon the Joint Motion for Approval of Settlement filed June 5, 2014, and the Court, being fully advised of the premises therein and finding no just reason for delay,

HEREBY ORDERS, ADJUDGES, AND DECREES AS FOLLOWS:

1. The Joint Motion for Approval of Settlement (ECF No. 47) is **GRANTED**.
2. The Settlement Agreement, as it appears in Exhibit A attached to the Joint Motion, is preliminarily approved and made a part hereof. This Settlement Agreement will be subject to final approval by the Court following the fairness hearing on the Joint Motion discussed below.
3. A Notice of Proposed Settlement of Class Action and Fairness Hearing ("Notice") in the form of Exhibit B attached to the Joint Motion shall be mailed as more particularly set forth in the Settlement Agreement.

4. Any person who wishes to request exclusion from the class, and, therefore, from any share of the Settlement Amount as the term is defined in the Settlement Agreement, must do so by executing and returning a request for exclusion as set forth in the Notice and the Settlement Agreement.

5. Class members who do not timely request exclusion shall be barred from prosecuting all claims that were alleged or could have been alleged in this lawsuit and will be barred from prosecuting all claims released by the Settlement Agreement.

6. All members of the class who timely file requests for exclusion shall be excluded from the class and shall not share in the Settlement Amount.

7. All discovery and other proceedings in this lawsuit are stayed pending final approval of the Settlement Agreement.

8. A fairness hearing is set for **Wednesday, August 6, 2014, at 2:00 p.m.** Such hearing is set to consider final approval of the Settlement Agreement as a fair, reasonable, and adequate settlement of this lawsuit.

9. No party to the Settlement Agreement and no creditor, assignee, representative, or trustee of any party to the Settlement Agreement shall have any right, title, or interest in or to the Settlement Amount, or any portion thereof, unless and until the Settlement Amount is disbursed in accordance with the Settlement Agreement.

10. This Court reserves jurisdiction over the effectuation of the matters set forth in the Settlement Agreement and to resolve any disputes that may arise in connection with this Settlement Agreement.

Dated: June 12, 2014

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Senior United States District Judge