

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

Civil Action Number: 1:12-cv-02797-REB-KMT

NANCY NEWMAN, Individually and as PERSONAL REPRESENTATIVE OF THE  
ESTATE OF JOHN NEWMAN

Plaintiffs

v.

MICHAEL D. HARLAN and J. L. SMITH TRUCKING CO.

Defendants

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**ORDER APPROVING SETTLEMENT AS TO PLAINTIFF NANCY NEWMAN**

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**Blackburn, J.**

The matter is before the court on **Defendants' Unopposed Motion for Court Approval of Settlement as to Plaintiff Nancy Newman** [#92],<sup>1</sup> filed August 22, 2014. The parties notified the court that this matter had settled (**see Minute Order** [#88], filed July 16, 2014), and dismissal papers are due September 15, 2014 (**see Minute Order** [#91], filed August 6, 2014). However, for the reasons set forth in the motion, and in an abundance of caution, defendants ask the court to approve the settlement and proposed distribution of settlement proceeds to plaintiff, Nancy Newman, individually.

Having reviewed the motion and its exhibits and the relevant record, I find and conclude that the motion should be granted. Ms. Newman's counsel has confirmed that his client was actively involved in the prosecution of this case and the negotiations that led to the settlement. Thus, it appears the agreement was fairly and honestly negotiated.

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<sup>1</sup> "[#92]" 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.

Ms. Newman's counsel indicated further that his client "has the cognitive ability to understand the settlement agreement and sign the release as well as the cognitive ability to dispose of and/or invest the settlement monies," despite her medical history and ongoing issues. The parties believe that the proposed settlement is fair and reasonable, and my own review finds nothing to contradict that assessment.

**THEREFORE, IT IS ORDERED** as follows:

1. That **Defendants' Unopposed Motion for Court Approval of Settlement as to Plaintiff Nancy Newman** [#92], filed August 22, 2014, is **GRANTED**; and
2. That the parties' settlement, as evidenced by the Proposed Distribution of Settlement Monies, attached as Exhibit D to the motion, is **APPROVED**.

Dated August 25, 2014, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge