

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

Civil Action No. 13-cv-01125-REB-MJW

LELAND SMALL, individually and on behalf of a class of other similarly situated persons,

Plaintiff,

v.

BOKF, N.A.,

Defendant.

ORDER GRANTING PARTIES' JOINT MOTION FOR PRELIMINARY
APPROVAL OF SETTLEMENT AGREEMENT AND NOTICE TO CLASS

Blackburn, J.

The matter before the court is the **Parties' Joint Motion for Preliminary Approval of Settlement Agreement and Notice to Class** [#177],¹ filed October 5, 2015. Having reviewed the motion and the supporting brief and proposed Settlement Agreement (*see Plaintiff's Memorandum in Support of Motion for Preliminary Approval of Settlement Agreement and Notice to Class* [#178], filed October 5, 2015, & Exh. B thereto), the court finds preliminarily that the proposed settlement meets the factors relevant to preliminary approval of proposed class action settlements, *see In re Quest Communications International, Inc. Securities Litigation*, 625 F.Supp.2d 1133, 1136 (D. Colo. 2009), and that the proposed form of notice to the class is

¹ “[#177]” 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.

reasonably calculated under all the circumstances to apprise class members of the pendency of the action and afford them an opportunity to present objections, **see *DeJulius v. New England Health Care Employees Pension Fund***, 429 F.3d 935, 944 (10th Cir. 2005).²

Therefore, I find and conclude that the motion is well taken and should be granted.

THEREFORE, IT IS ORDERED as follows:

1. That the **Parties' Joint Motion for Preliminary Approval of Settlement Agreement and Notice to Class** [#177], filed October 5, 2015, is granted;
2. That the Settlement Agreement is approved, preliminarily;
3. That Epiq Systems is appointed as the Third-Party Administrator;
4. That the proposed form of notice (**see Plf. Motion App.**, Exh. B) is approved and shall be issued to class members no later than **forty-five (45) days** from the date of this Order and otherwise pursuant to the terms of the Settlement Agreement; and
5. That the court shall conduct a final fairness hearing on **Friday, March 25, 2016**, at **9:00 a.m.** (MDT), reserving one hour, if necessary, for the hearing.

Dated October 8, 2015, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge

² In addition, I expressly approve and adopt all arguments advanced, authorities cited, and conclusions set forth in the brief in support of the motion [#178].