

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JON D. GRUCHY, <i>et al.</i>,)	
)	
Plaintiffs,)	
v.)	C.A. No. 08-CA-10755-GAO
)	
DIRECTECH DELAWARE, INC., <i>et al.</i>,)	
)	Judge George A. O’Toole, Jr.
)	
Defendants.)	

**ORDER CONDITIONALLY CERTIFYING RULE 23
SETTLEMENT CLASS AND PRELIMINARILY APPROVING
RULE 23 CLASS ACTION SETTLEMENT AGREEMENT**

Upon consideration of the Parties’ Joint Motion for Order Conditionally Certifying Rule 23 Settlement Class and Preliminarily Approving Rule 23 Class Action Settlement Agreement, and the pertinent materials filed therewith, this Court:

1. For settlement purposes only conditionally certifies the Rule 23 Settlement Class and preliminarily finds that the settlement terms negotiated by the Parties and described in the Settlement Agreement are a fair and reasonable resolution of a *bona fide* dispute between Defendants MultibandNE Incorporated f/k/a DirecTech Delaware, Inc. and DirecTech Holding Co., Inc. and all affected employees. The Class includes all Massachusetts job-based technicians employed by MultibandNE Incorporated at any point between August 10, 2006 and January 31, 2009.
2. Appoints named Plaintiffs Jon Gruchy, Derek Ingemi and John Junkins as class representatives of the Rule 23 Class.

3. Appoints the Plaintiffs' attorneys Robert Harnais of Mahoney Diamond & Harnais, P.C., Dan V. Bair II of Brodeur-McGan, P.C., and Jeffrey S. Morneau of Donohue, Hyland & Donohue, P.C., as Class Counsel for the Rule 23 Class.
4. Further, for ease of settlement administration, Defendants are ORDERED to produce the names, last known addresses and social security numbers for all Rule 23 Class Members to the Administrator, Rust Consulting Co.
5. Preliminarily approves a settlement of claims set forth in the Settlement Agreement attached to the proposed Preliminary Approval Order as Exhibit 1 and the settlement reflected in that agreement.
6. Approves transmission by the Administrator to the Rule 23 Class Members of the Class Notice, attached to the Settlement Agreement as Exhibit B, and the Claim Form, attached to the Settlement Agreement as Exhibit C.
7. Setting a Fairness Hearing for final approval of the Rule 23 Class Action Settlement Agreement and Settlement to be held on July 27, 2011 at 2:00 p.m. .

Signed on March 31, 2011

/s/ George A. O'Toole Jr.
George A. O'Toole, Jr.
United States District Judge