UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
1:04-CV-0748

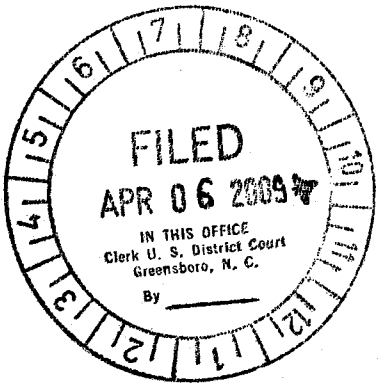
CONSTANCE BARTON, KIMBERLY CLARK, WESLEY CLARK, TRACIE HUNT, KAREN MEREDITH, GILBERT BREEDEN, LACENTIA THOMPSON, MATHESIA PETERSON, and CHESTER CHARNESKI, on behalf of themselves and on behalf of classes of those similarly situated,

Plaintiffs,

v.

THE PANTRY, INC.,

Defendant.



MEMORANDUM ORDER

On April 6, 2009, the Court held a hearing on the parties' request for final approval of the Full and Final Settlement of All Claims ("the Settlement Agreement"). The Court gave preliminary approval to the Settlement Agreement in its September 26, 2008 Order [Doc. # 97.] After preliminary approval, a third party administrator processed the Settlement Agreement. As part of that process, settlement class members had the opportunity to file Objections to the proposed settlement. No Objections were filed; nor were any Objections heard at the April

6, 2009 hearing. The notice and settlement administration process previously approved by this Court were carried out as directed.

The Court finds that the parties' Settlement Agreement and payments to claimants are fair, reasonable, and adequate and accordingly gives the settlement final approval for all purposes. The parties are directed to comply with the Settlement Agreement. Upon certification of compliance, the action will be dismissed with prejudice, each party to bear their respective costs.

This the 6th day of April, 2009.

N. Carlton Tilley, Jr.
United States District Judge