

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WANECHKEK MINK RANCH, and SMITH
MINK RANCH CORPORATION, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

ALASKA BROKERAGE INTERNATIONAL,
et al.,

Defendants.

No. C06-0089 RSM

ORDER AUTHORIZING THE
DISSEMINATION OF NOTICE OF
COOPERATION SETTLEMENT
BETWEEN PLAINTIFFS AND
DEFENDANT GLOBAL MINK
CORPORATION

ORDER AUTHORIZING THE DISSEMINATION OF NOTICE OF
COOPERATION SETTLEMENT BETWEEN PLAINTIFFS AND
DEFENDANT GLOBAL MINK CORPORATION
Case No. C06-0089 RSM



1918 EIGHTH AVENUE, SUITE 3300 • SEATTLE, WA 98101
(206) 623-7292 • FAX (206) 623-0594

1 AND NOW, this 15th day of April 2011, upon consideration of the Motion
2 for Authorization to Disseminate Notice of Settlement Between Plaintiffs and Defendant Global
3 Mink Corporation (“Motion”), it is hereby **ORDERED** as follows:

4 1. Notice shall be provided to the following proposed Settlement Class (the
5 “Settlement Class”):
6

7 All sellers of Furs who sold Furs at the American Legend Auction
8 in Seattle, Washington, and whose Furs were purchased by any of
9 the Defendants or their subsidiaries or affiliates (including all
10 predecessors thereof) at any time from and including June 1, 2000
to and including June 1, 2004. Excluded from the Settlement Class
are governmental entities and the Defendants, or their subsidiaries
or affiliates (including all predecessors thereof).

11 2. The Court appoints the firms of Kohn, Swift & Graf, P.C., Preti Flaherty, and
12 Hagens Berman Sobol Shapiro LLP as Class Counsel for the proposed Settlement Class.
13 Plaintiffs Wanechek Mink Ranch and Smith Mink Ranch Corporation are appointed as the class
14 representatives for the proposed Settlement Class.

15 3. The Court approves the form of the Notice (the “Notice”), attached to the Motion
16 for Authorization to Disseminate Notice of Settlement Between Plaintiffs and Defendant Global
17 Mink Corporation as Exhibit B, upon the condition that the content of the Notice, including all
18 dates, times, and addresses, conform to the requirements of this Order. The Court further finds
19 that the mailing and publication of the Notice in the manner set forth in ¶ 4 below constitutes the
20 best notice practicable under the circumstances as well as valid, due and sufficient notice to all
21 persons entitled thereto and complies fully with the requirements of Federal Rule of Civil
22 Procedure 23 and the due process requirements of the Constitution of the United States.
23

24 4. Class Counsel are hereby directed to cause the Notice attached to the Motion for
25 Authorization to Disseminate Notice of Settlement Between Plaintiffs and Defendant Global
26

1 Mink Corporation as Exhibit B to be: (a) mailed by first class mail, postage prepaid, within 30
2 days of receipt of the last of the seller information from Defendants (the “Notice Date”), to all
3 members of the Settlement Class identified by Defendants; and (b) provided to all persons who
4 request it. Class Counsel shall also post a copy of the Notice on the Internet at a readily
5 accessible web address. Class Counsel shall identify the web address in all Notices that Class
6 Counsel caused to be mailed, provided, or distributed pursuant to this paragraph.
7

8 5. The Court will hold a hearing (the “Hearing”) on July 15, 2011 at 11:00 a.m. at
9 the United States Courthouse, 700 Stewart Street, Courtroom 13206, Seattle, Washington,
10 98101-1271 to determine the fairness, reasonableness and adequacy of the proposed settlement
11 with the Defendants and whether the settlement should be finally approved and a final judgment
12 entered thereon. Any Settlement Class member who follows the procedure set forth in the
13 Notice may appear and be heard at this Hearing. The Hearing may be continued without further
14 notice to the Settlement Class.
15

16 6. Class Counsel shall file with the Court their motion for final approval of the
17 Settlement Agreement no later than thirty (30) days prior to the Hearing date.
18

19 7. All requests for exclusion from the Settlement Class shall be postmarked no later
20 than 20 days prior to the Hearing date, and shall otherwise comply with the requirements set
21 forth in the Notices.
22

23 8. Any member of the Settlement Class who wishes to object to the terms of the
24 Settlement Agreement or to Class Counsel’s motion for expenses must do so in writing, filed
25 with the Clerk and served on Class Counsel and counsel for Defendant no later than 20 days
26

1 prior to the Hearing date, and shall otherwise comply with the requirements set forth in the
2 Notices.

3 9. Ten (10) days before the date fixed by this Court for the Hearing, Class Counsel
4 shall cause to be filed with the Clerk of this Court an affidavit or declaration of the person under
5 whose general direction the mailing of the Notice were made, showing that mailing and
6 publication were made in accordance with this Order.
7

8 10. The litigation against the Defendant is stayed except to the extent necessary to
9 effectuate the Settlement Agreement.

10 SO ORDERED.

11 Dated: April 15, 2011
12
13

14 

15 RICARDO S. MARTINEZ
16 UNITED STATES DISTRICT JUDGE
17
18
19
20
21
22
23
24
25
26