

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN DOE, et al., :

Plaintiffs, : **Case No. 2:91-cv-464**

v. : **Judge Holschuh**

STATE OF OHIO, et al., : **Magistrate Judge Kemp**

Defendants. :

:

ORDER

This matter is before the Court on the parties' Second Joint Motion for Preliminary Approval of Partial Class Action Settlement, to Set a Hearing on the Final Approval of the Partial Settlement, and to Approve the Proposed Notice Thereof. (Doc. 149). The Court having preliminarily reviewed the proposed partial settlement of this action and reviewed the proposed methods of distributing notice of the proposed partial settlement to the class members, the Court **GRANTS** the Second Joint Motion and **ORDERS** as follows:

- 1. Proposed Settlement.** The proposed partial settlement between the plaintiff class and the defendants appears to be within the range of reasonableness. It is therefore preliminarily approved and accordingly shall be submitted to the class members for their consideration and for a hearing under Federal Rule of Civil Procedure 23(e).
- 2. Hearing.** A hearing shall be held in Courtroom 3, Joseph P. Kinneary United States Courthouse, 85 Marconi Boulevard, Columbus, Ohio 43215 at 10:00 a.m. on Tuesday,

October 20, 2009 to consider whether the proposed partial settlement is fair, reasonable, and adequate and whether it should receive the court's final approval.

- (a) Objections by class members to the proposed partial settlement will be considered if sent in writing to the Clerk of Court on or before September 16, 2009.
 - (b) Counsel for the class and for the defendants should be prepared at the hearing to respond to objections filed by class members and to provide other information, as appropriate, bearing on whether or not the proposed partial settlement should be approved.
3. **Notice.** Counsel for the parties shall distribute copies of the Notice and Consent Order in accordance with the time limitations and methods of distribution set forth in Section (C)(2) of the Second Joint Motion.

IT IS SO ORDERED.

Date: July 2, 2009

/s/ John D. Holschuh
John D. Holschuh, Judge
United States District Court