

DISTRICT COURT, EL PASO COUNTY, COLORADO	
Court Address: 270 S. Tejon, Colorado Springs, CO, 80901	
Plaintiff(s) JESSICA NYGAARD et al. v. Defendant(s) HOMEADVISOR INC	DATE FILED: January 5, 2018 1:54 PM CASE NUMBER: 2017CV32000 <p style="text-align: center;">△ COURT USE ONLY △</p> Case Number: 2017CV32000 Division: 20 Courtroom:
Order Granting Final Approval	

The motion/proposed order attached hereto: GRANTED.

Issue Date: 1/5/2018



JILL M. BRADY
District Court Judge

DISTRICT COURT, EL PASO COUNTY, COLORADO Address: 270 South Tejon Street Colorado Springs, CO 80903	▲ COURT USE ONLY ▲
JESSICA NYGAARD; PATRICK GOHEEN; CLIFF BUTLER; and MOLLY PRENTZEL; on behalf of themselves and all others similarly situated, Plaintiffs, v. HOMEADVISOR, INC., Defendant.	
Case No.: 2017CV32000 Division: 20	
<p style="text-align: center;">ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR FINAL APPROVAL OF CLASS AND COLLECTIVE ACTION SETTLEMENT AND PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF ATTORNEYS' FEES, EXPENSES, AND SERVICE PAYMENTS</p>	

THIS MATTER is before the Court on Plaintiffs Jessica Nygaard, Patrick Goheen, Cliff Butler, and Molly Prentzel's (collectively "Plaintiffs" or "Named Plaintiffs"): (1) Unopposed Motion for Final Approval of Class and Collective Action Settlement; and (2) Unopposed Motion for Approval of Attorneys' Fees, Expenses, and Service Payments. All defined terms contained in this Order shall have the same meaning as set forth in the Settlement executed by the Parties and filed with the Court. Having reviewed the motions and having conducted a hearing regarding Plaintiffs' Motions on January 5, 2017, and being fully advised in the premise, the Court

HEREBY FINDS:

1. That the Class Action Settlement and Release executed by the Parties as of August 29, 2017, a copy of which was filed with the Court as an attachment to Plaintiffs' Unopposed Motion for Preliminary Approval of Class and Collective Action Settlement and Certification of Settlement Classes on August 31, 2017 (the "Settlement") is fair, reasonable, and adequate to the Class Members, taking account of the strengths and weaknesses of Plaintiffs' claims under the Fair Labor Standards Act ("FLSA") and applicable state wage-and-hour laws, the risks, costs and delay associated with continuing the litigation, the statutory remedies available to prevailing plaintiffs under the FLSA and applicable state wage-and-hour laws, and settlements in similar cases; and the wage-and-hour claims which shall be settled and released by the Class Members as set forth in the Settlement meet the prerequisites for a class action under Colo. R. Civ. P. 23 and a collective action under 29 U.S.C. § 216;

2. That in accordance with Colo. R. Civ. P. 23, 29 U.S.C. § 216, and the requirements of due process, all Class Members have been given proper and adequate notice of the Settlement. Based on the evidence submitted by the parties, the Settlement, the arguments of counsel, and all the files, records, and proceedings in this case, the Court finds that the notice and notice plan implemented pursuant to the Settlement and the court's order preliminarily approving the Settlement (a) constituted the best practicable notice under the circumstances; (b) constituted notice that was reasonably calculated, under the circumstances, to apprise members of the class members of the pendency of the litigation, their right to object to the Settlement, and their right to appear at the fairness hearing; (c) were reasonable and constituted due, adequate, and sufficient notice to all persons entitled to notice; and (d) met all applicable requirements of Colo. R. Civ. P. 23, and any other applicable law;

3. That the requested attorneys' fees, litigation expenses, and Service Payments are reasonable;

AND THEREFORE ORDERS:

1. That Plaintiffs' Unopposed Motion for Final Approval of Class and Collection Action Settlement is GRANTED;

2. That the Court grants final approval of the Settlement and the terms set forth therein;

3. That the Settlement Classes are FINALLY CERTIFIED for settlement purposes only;

4. That Plaintiffs' Unopposed Motion for Approval of Attorneys' Fees, Expenses, and Service Payments is GRANTED;

5. That Class Counsel are AWARDED attorneys' fees in the requested amount of \$822,500 and litigation expenses in the amount of \$22,780.81;

6. That Named Plaintiffs are AWARDED Service Payments in the requested amounts of \$15,000 each;

7. That Atticus Administration, LLC's (the "Settlement Administrator") expenses SHALL be paid from the Gross Settlement Amount as set forth in the Settlement;

8. That all payments to be made in accordance with the Settlement, including but not limited to the distribution of Individual Settlement Payments to Class Members and the payments of costs, expenses and awards authorized herein are APPROVED;

9. That Defendant SHALL deposit the Gross Settlement Amount into the Qualified Settlement Fund with the assistance of the Settlement Administrator in accordance with the Settlement;

10. That the Settlement Administrator SHALL make all payments required by the Settlement;

11. That each Participating Class Member and each FLSA Participating Class Member shall be bound by the Settlement and the Releases set forth in Section VII of the Settlement in accordance with the terms of the Settlement, and such releases are incorporated herein as part of this Order;

12. That the Class Members had the opportunity to be heard on all issues regarding the resolution and release of their claims by submitting objections to the Settlement, but no objections were submitted to the Court;

13. That this action and all claims asserted herein and/or released in accordance with the Settlement are hereby DISMISSED with prejudice, without costs or fees to any Party, except as expressly provided for in the Settlement;

14. That final judgment SHALL ENTER with respect to all released claims of the Class Members; and

15. That without affecting the finality of this judgment in any way, this Court RETAINS jurisdiction over (a) implementation of the Settlement; (b) distribution of the Individual Settlement Payments, the Service Payment awards, and the attorneys' fees and expenses; and (c) all other proceedings related to the implementation and interpretation of the Settlement.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DONE AND ORDERED this ____ day of _____, 2018.

BY THE COURT:

Honorable Jill M. Brady
District Court Judge