

Case
Aldrich

STATE OF MINNESOTA

FILED

DISTRICT COURT

COUNTY OF HENNEPIN

08 JAN 15 PM 9:33

FOURTH JUDICIAL DISTRICT

BY _____ DEPUTY

HENN CO. DISTRICT
COURT ADMINISTRATOR

CASE TYPE: OTHER CIVIL

David B. Wiencke, Warren C. Bowles,)
Susan J. Huhn-Bowles, John Mitchell,)
Thomas J. Tesch, Sherry L. Morris, and)
James R. Morris, on behalf of themselves)
and all others similarly situated,)

Case No. Civ- 05-012976

**FINAL JUDGMENT ORDER
APPROVING SETTLEMENT**

Plaintiffs,)

v.)

Metropolitan Airports Commission,)

Defendant.)

This matter having come before the Court for hearing, pursuant to an Order of this Court preliminarily approving settlement dated November 16, 2007 on the application of the Class Representatives and their counsel for approval of the settlement set forth in the Class Action Settlement Agreement ("Settlement Agreement") filed in this action and due and adequate notice having been given to the Settlement Class as of November 21, 2007, as required in said Order, and the Court having considered all papers filed and proceedings herein and good cause appearing therefore, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. This Final Judgment incorporates by reference the definitions in the Settlement Agreement in the above-captioned action and the Consent Decree in *State by City of Minneapolis, et al. v. Metropolitan Airports Comm'n, et al.*, Case No. 27-CV-05-5475

("Cities' case"), and all terms used herein shall have the same meanings as set forth in the Settlement Agreement and Consent Decree entered in the Cities' case on October 19, 2007.

2. This Court has jurisdiction over the subject matter of the Action and over all parties to the Action.

3. Individual notice was issued via First Class Mail to Settlement Class Members. The Notice of Proposed Class Action Settlement ("Notice") sent to the Settlement Class as of November 16, 2007, was the best notice practicable under the circumstances. Said notice provided due and adequate notice of those proceedings and of the matters set forth therein, including the proposed settlement set forth in the Settlement Agreement, to all persons entitled to such notice, and said notice fully satisfied the requirements of Rule 23.05 of the Minnesota Rules of Civil Procedure and the requirements of due process.

4. Pursuant to Rule 23 of the Minnesota Rules of Civil Procedure, this Court hereby approves the settlement set forth in the Settlement Agreement and finds that said settlement is, in all respects, fair, reasonable, adequate, and in the best interest of the Settlement Class.

5. Plaintiffs release all claims as set forth in the Consent Decree entered in *State by City of Minneapolis, et al. v. Metropolitan Airports Comm'n, et al.*, Civ. No. 27-CV-05-5475.

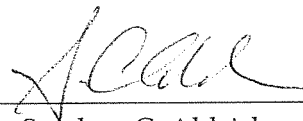
6. This Court hereby dismisses with prejudice the Action against Defendant.

7. The Court will enter a separate Fee Order for an award to the Class Representatives and awarding such Class Counsel fees, costs and expenses as the Court approves.

SO ORDERED.

THERE BEING NO JUST REASON FOR DELAY, LET FINAL JUDGMENT BE ENTERED ACCORDINGLY FORTHWITH.

Dated: Jan. 15, 2008



Stephen C. Aldrich
Judge for the District Court