

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

BRADLEY DEBRASKA, JAMES KRAFT,
DAVID ARNDT, JAMES NISIEWICZ,
MARK NEWELL, HARRISON KERN,
ALAN WILKE, GREGORY SZABLEWSKI,

Plaintiffs,

Case No. 96-C-402
(Fair Labor Standards Act)

v.

CITY OF MILWAUKEE,

Defendant.

ORDER FOR JUDGMENT OF DISMISSAL

Based upon the terms and conditions of two prior Orders issued by this Court with respect to the settlement of the above-captioned proceeding and dated _____, 2002 and _____, 2002, and the representation by counsel for the plaintiffs and counsel for the City that the terms and conditions of settlement have been fully implemented as of the date hereof, and upon review of the record of this proceeding, the Court hereby issues the following

ORDER

1. That all individual plaintiffs to this proceed who have not consented (whether individually or through counsel) to the terms of settlement thereof and who have not affirmatively elected to pursue their claims on an individual basis pursuant to ¶

2 of this Court's previous order of _____, 2002, are hereby DISMISSED from this proceeding for lack of prosecution of their claims.

2. That this proceeding is hereby DISMISSED in its entirety, on its merits, and with prejudice, in accordance with the terms of the Final Settlement Agreement (and Attachments).

3. That this Court shall issue a Judgment of Dismissal which shall incorporate the terms and conditions of the Final Settlement Agreement (and Attachments).

Dated at Milwaukee, Wisconsin this _____ day of _____, 2002.

BY THE COURT:

HON. CHARLES N. CLEVERT
U.S. District Court Judge

96C000141/53463