

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION**

SHIRLEY WILLIAMS, GALE)	
PELFREY, BONNIE JONES and)	
LORA SISSON, individually and on)	Civil Action
behalf of a class,)	File No. 4:04-cv-03-HLM
)	
Plaintiffs,)	CLASS ACTION
)	
vs.)	
)	
MOHAWK INDUSTRIES, INC.,)	
)	
Defendant.)	

**ORDER PRELIMINARILY APPROVING
AMENDED SETTLEMENT AGREEMENT
AND CORRECTED NOTICE TO THE CLASS**

On April 12, 2010, the Court certified a Settlement Class in this RICO action and approved the parties Settlement Agreement as fair, just, reasonable and adequate to the members of the Settlement Class, subject to further consideration at a final Settlement Fairness Hearing. In addition, the Court approved the form and substance of a proposed Notice to the Class and directed the Claims Administrator to mail out the Notice in accordance with the Settlement Agreement.

On April 28, 2010, the parties informed the Court that they had agreed to a short amendment to the Settlement Agreement. The purpose of the amendment is to afford the estates of two deceased plaintiffs, Shirley Williams and Lora Sisson,

the option of petitioning the Court for a Class Service Award from the Settlement Fund. Plaintiffs' counsel does not represent the Williams or Sisson estates for this purpose, and any such application must be made by the duly authorized representative of the respective estates. The parties have also corrected the proposed Notice to inform the Class that the Williams and Sisson estates will have an opportunity to petition for Class Service Awards.

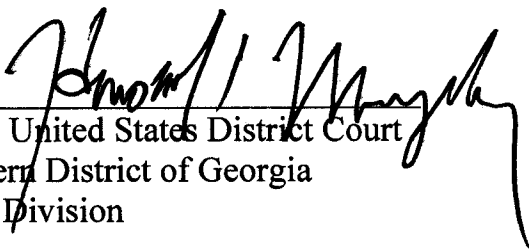
The Court has reviewed the First Amendment to the Settlement Agreement and the corrected Notice and is satisfied that the Settlement Agreement as amended remains fair, just, reasonable and adequate to the members of the Settlement Class. Even if the Williams or Sisson estates take advantage of this opportunity to petition for a Class Service Award, the Court must decide whether any such award is appropriate. Accordingly, the Court grants preliminary approval to the Settlement Agreement as amended, subject to further consideration at the Settlement Fairness Hearing scheduled for July 22, 2010. The Court further approves the corrected Notice attached to the First Amendment to the Settlement Agreement. The Court enters this preliminary approval NUNC PRO TUNC and directs the Claims Administrator to mail the corrected Notice according to the schedule in the Settlement Agreement, which was approved in the Court's April 12, 2010 Preliminary Approval Order.

Nothing in this Order should be construed to approve or disapprove of any party's application for a Class Service Award. Any applications for Class Service Awards shall be made according to the schedule established in the Court's April 12 Order. Pursuant to Fed. R. Civ. P. 23(e), the Court will consider the merits of any such applications for a Class Service Award at the July 22, 2010 Settlement Fairness Hearing.

IT IS SO ORDERED

Dated:

April 29, 2010



Judge, United States District Court
Northern District of Georgia
Rome Division