

1 Edward S. Zusman (SBN 154366)
 Kevin K. Eng (SBN 209036)
 2 MARKUN ZUSMAN & COMPTON, LLP
 465 California Street, Suite 500
 3 San Francisco, CA 94104
 Telephone: (415) 438-4515
 4 Facsimile: (415) 434-4505

5 Attorneys for Plaintiffs

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 BRIANT CHUN-HOON and CARLO
 GUGLIELMINO,
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 13 Plaintiffs,
 14 v.
 15 MCKEE FOODS CORPORATION, a
 Tennessee corporation; and DOES 1 through
 16 100, inclusive,
 17 Defendants.

Case No. CV 05-00620 VRW

~~PROPOSED~~ ORDER OF DISMISSAL
WITH PREJUDICE

18 This action was filed on January 3, 2005, in the Superior Court of Alameda County, and
 19 was removed to this Court on February 10, 2005. The parties subsequently reached a settlement
 20 of this case, and on August 11, 2009, the parties moved for preliminary approval of the proposed
 21 settlement. Doc #93. The terms of settlement are set forth in the parties' Joint Stipulation of
 22 Settlement and Release (Doc # 94) and in the Settlement Agreement attached thereto as Exhibit A
 23 (the "Settlement Agreement").

24 On October 15, 2009, the Court granted preliminary approval of the proposed settlement.
 25 Doc #100. Notice of the proposed settlement was thereafter provided to the class in accordance
 26 with the provisions of the Settlement Agreement and preliminary approval order. Doc #104. No
 27 objections to the settlement were filed, and only sixteen (16) class members elected to exclude
 28 themselves from the settlement. Id. The parties moved for final approval of the proposed

1 settlement (Doc #103), and the Court granted final approval on June 7, 2010. Doc #110. In light
2 of the foregoing,

3 IT IS HEREBY ORDERED that this action is dismissed with prejudice. The releases and
4 covenants not to sue by the class representatives and class members, as set forth in Sections 16
5 and 18 of the Settlement Agreement between the parties, are approved by the Court, are binding
6 on the class representatives and class members, and are hereby incorporated by reference and
7 made a part of this Order of Dismissal as though fully set forth herein.

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DATED: July 20, 2010

