



1 Net Settlement (the “Motion for Distribution”). On July 26, 2010, the Court entered its order  
2 scheduling a telephonic hearing on the Motion for Distribution for 10:00 a.m. on Friday, August 6,  
3 2010 and designating the telephone number to be called. The Order permits Class Counsel to  
4 participate by telephone. The Court also entered an order on August 4, 2010 permitting Brocade’s  
5 counsel to participate by telephone.

6 KPMG respectfully requests that the Court likewise permit its counsel to participate in the  
7 hearing by telephone to avoid KPMG’s expenditure of unnecessary attorneys’ fees and travel  
8 costs—the same reasons stated by Class Counsel and Brocade’s counsel—which would be required  
9 for KPMG’s counsel to attend the hearing in person. Should the Court permit, KPMG’s counsel will  
10 call in to the telephone number provided by Class Counsel at the appropriate time to participate in  
11 the hearing and respond to any questions the Court may have.

12 For those reasons, KPMG seeks leave of the Court to permit Mr. Martin to appear by  
13 telephone at the Hearing on Friday, August 6, 2010 at 10:00 a.m.

14  
15 Dated: August 4, 2010

SIDLEY AUSTIN LLP

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17 By: /s/ Robert B. Martin III

18 Robert B. Martin III  
19 Attorneys For Defendant KPMG LLP  
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**~~PROPOSED~~ ORDER**

For good cause appearing, KPMG LLP's Request to Appear Telephonically Regarding Motion for Distribution of the Net Settlement Fund is GRANTED.

**IT IS SO ORDERED.**

Dated: August 5, 2010



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