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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

STANLEY KRZESNIAK,

Plaintiff,

v.

CENDANT CORPORATION, et al.,

Defendants.

Case No. C 05-5156 MEJ

~~PROPOSED~~ JUDGMENT AND  
DISMISSAL OF ACTION WITH  
PREJUDICE ON FINAL APPROVAL  
OF SETTLEMENT

Hon. Maria-Elena James

Proceedings regarding the proposed settlement of the above-referenced class action have been regularly conducted before this Court. Plaintiff Class was represented by Peter S. Rukin and Steven M. Tindall of Rukin Hyland Doria & Tindall; Defendants were represented by Michael Hoffman of Arena Hoffman LLP.

The Court first conducted a preliminary hearing on May 6, 2008, on Plaintiff's unopposed Application for Preliminary Approval of Class Action Settlement. After considering all supporting papers, evidence, and arguments, the Court granted preliminary approval of the settlement. Further, after determining that the proposed Notice of Class Action ("Notice") met all constitutional and statutory requirements, including due process, the Court ordered the Notice to be mailed in accordance with all constitutional and statutory requirements, including due process. Subsequently, and in accordance with the Notice, the Court conducted a further hearing on August

1 28, 2008 for the purpose of considering the properly-noticed Motion for Order of Final Approval and  
2 Good Faith Determination of the Settlement, and the application of Class Counsel for attorneys' fees  
3 and expenses.

4 After fully considering all supporting papers, evidence, and arguments, and having  
5 reviewed Class Counsel's declaration concerning the giving of Notice of Class Action to class  
6 members in accordance with the Court's order, and having fully and carefully considered the  
7 application for attorneys' fees, good cause appearing, the Court found the settlement to be fair,  
8 reasonable, and adequate. Therefore, the Court hereby adjudges and decrees that judgment and  
9 dismissal with prejudice, pursuant to the Order of Final Approval of Settlement of Class Action, is  
10 hereby made and shall be entered by the Clerk pursuant to the terms and conditions set forth therein.

11 The Clerk shall close the file.  
IT IS SO ORDERED.

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13 Dated: September 18, 2008

  
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UNITED STATES MAGISTRATE JUDGE

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