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 10 page]

Attorneys for RGIS, LLC (erroneously  
 sued as RGIS Inventory Specialists, Inc.)

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA

15 TRISHA WREN and CYNTHIA PIPER,  
 16 et al., individually and behalf of others  
 17 similarly situated,

17 Plaintiffs,

19 v.

20 RGIS Inventory Specialists, LLC, RGIS,  
 21 LLC, Does 1-25 Inclusive,

21 Defendants.

Case Nos.: 3:06-cv-05778 JCS  
 3:07-cv-00032 JCS

CLASS AND COLLECTIVE ACTION

STIPULATION AND [~~PROPOSED~~]  
 ORDER RE DISTRIBUTION OF  
 SETTLEMENT FUNDS

Honorable Joseph C. Spero

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1 STIPULATION

2 WHEREAS the parties have agreed to settle the matters of *Wren & Piper v.*  
3 *RGIS Inventory Services LLC* for the gross settlement amount of \$27,000,000 (Dkt.  
4 No. 932);

5 WHEREAS the Court granted final approval of class action settlement in the  
6 matters of *Wren & Piper v. RGIS Inventory Services LLC* on April 1, 2011 (Dkt. No.  
7 932);

8 WHEREAS the claims administrator, Rust Consulting LLC, distributed 64,714  
9 individual settlement awards to the settlement class on or about July 23, 2011;

10 WHEREAS out of the 64,714 settlement award checks that were distributed in  
11 July 2011, approximately 18,221 remain un-cashed. These settlement award checks  
12 are approximately categorized as follows:

13

Check Value	Number of Un-Cashed Checks
Greater than \$3,000	29
Between \$2,000 and \$2,999	33
Between \$1,000 and \$1,999	158
Between \$500 and \$999	334
Between \$400 and \$499	172
Between \$300 and \$399	197
Between \$200 and \$299	450
Between \$100 and \$199	1,478
Between \$50 and \$99	2,589
Less than \$49	12,781

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25 WHEREAS \$1,435,696.18 remains in the Settlement Fund as a result of the  
26 un-cashed settlement award checks;

27 WHEREAS the Court approved a \$150,000.00 Reserve Fund for the purpose  
28 of funding settlement awards for eligible settlement class members who were

1 inadvertently omitted from the initial distribution of settlement awards, and for  
2 paying Rust Consulting for any administration fees and costs associated with  
3 providing settlement awards to such individuals (Dkt. No. 942);

4 WHEREAS seven inadvertently omitted settlement class members and one  
5 settlement class member seeking an award adjustment made valid claims on the  
6 Reserve Fund;

7 WHEREAS Rust Consulting LLC distributed a combined total of \$18,173.26  
8 to the omitted settlement class members on or about March 2, 2012;

9 WHEREAS \$131,826.74 remains in the Reserve Fund;

10 WHEREAS the combined balance of the Settlement Fund and the Reserve  
11 Fund amounts to \$1,567,522.92;

12 WHEREAS Drogin, Kakigi & Associates has incurred \$54,400 in unpaid fees  
13 and costs for calculating individual settlement awards pursuant to the Settlement  
14 Agreement subsequent to December 2010;

15 WHEREAS Rust Consulting LLC has incurred \$95,737.54 in unpaid fees and  
16 costs arising out of the administration of the settlement herein;

17 WHEREAS the parties hereby stipulate to the following distribution of the  
18 remaining settlement funds:

- 19 1. Drogin, Kakigi & Associates shall be paid \$54,400 from the Settlement  
20 Fund within 10 days of the date of the Court's approval of this Stipulation;
- 21 2. Rust Consulting LLC shall be paid \$95,737.54 from the Settlement Fund  
22 within 10 days of the date of the Court's approval of this Stipulation;

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1 3. Rust Consulting LLC shall conduct “manual” address traces to attempt to  
2 locate the 923 class members who are entitled to settlement awards greater  
3 than \$300 and who have not cashed their settlement award checks. These  
4 searches shall be paid for by Reserve Fund money, and are estimated to cost  
5 between \$12,000 and \$25,000.  
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7 IT IS SO STIPULATED.

8 Dated: March 20, 2012

SCHNEIDER WALLACE  
COTTRELL BRAYTON KONECKY LLP

9 By: \_\_\_\_\_ /s/ \_\_\_\_\_

10 ANDREW P. LEE  
11 Attorneys for Plaintiffs

12 Dated: March 20, 2012

AKIN GUMP STRAUSS HAUER & FELD  
LLP

13 By: \_\_\_\_\_ /s/ \_\_\_\_\_

14 CATHERINE A. CONWAY  
15 Attorneys for Defendants

16 I, Andrew P. Lee, am the ECF user whose ID and password are being used to  
17 file this Stipulation and [proposed] Order Regarding Distribution of Settlement  
18 Funds. In compliance with General Order 45, X.B., I attest that Cathy Conway has  
19 concurred in this filing.  
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ORDER

The Court, having reviewed the parties’ stipulation, and good cause appearing, hereby ORDERS as follows:

1. Drogin, Kakigi & Associates shall be paid \$54,400 from the Settlement Fund within 10 days of the date of the Court’s approval of this Stipulation;
2. Rust Consulting LLC shall be paid \$95,737.54 from the Settlement Fund within 10 days of the date of the Court’s approval of this Stipulation;
3. Rust Consulting LLC shall conduct “manual” address traces to attempt to locate the 923 class members who are entitled to settlement awards greater than \$300 and who have not cashed their settlement award checks. A maximum of \$25,000 of Reserve Fund money may be used to conduct these searches.

IT IS SO ORDERED.

Dated: March 21, 2012

