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21 Attorneys for Defendants
22 UPS GROUND FREIGHT, INC., OVERNITE TRANSPORTATION COMPANY and
23 MOTOR CARGO

24 UNITED STATES DISTRICT COURT
25 NORTHERN DISTRICT OF CALIFORNIA

26 JAVIER MUNOZ, an individual; STEVEN
27 TILLER, an individual; KEVIN LAY, an
28 individual; JAMES WINN, an individual;
individually, on behalf of the general public,
and on behalf of all others similarly situated,

Plaintiffs,

vs.

UPS GROUND FREIGHT, INC., a business
entity form unknown; OVERNITE
TRANSPORTATION COMPANY, a
business entity, form unknown; MOTOR
CARGO, a business entity, form unknown,

Defendants.

CASE NO. C07-00970 MHP

~~PROPOSED~~ JUDGMENT OF
FINAL APPROVAL OF CLASS
ACTION SETTLEMENT

Court: 15, 18th Floor
Judge: Hon. Marilyn H. Patel

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The Court hereby adjudges and decrees that it approves the settlement of this class action on the terms set forth in

(a) the “Joint Stipulation of Settlement and Release Between Plaintiffs and Defendants,” *see* Docket No. 44, Exhibit 1, and

(b) this court’s Memorandum and Order filed June 9, 2009, *see* Docket No. 60.

The members of the class included in this judgment are all current and former linehaul drivers who were employed by Defendants, who were domiciled in terminals within the State of California during the period February 15, 2003 to July 22, 2008, and who did not submit a timely Request to be Excluded to the Claims Administrator, Rust Consulting, Inc.

This entire action is hereby dismissed without prejudice as to all members of the class who did submit a timely Request to be Excluded to the Claims Administrator.

The entire action is hereby dismissed without prejudice as to all current and former linehaul drivers domiciled in terminals outside the State of California.

This entire action is hereby dismissed with prejudice as to all members of the class who did not submit a timely Request to be Excluded, except that the Court retains jurisdiction over the parties to enforce the terms of this judgment.

July 1
DATED: ~~June~~ _____, 2009

