Fishbury, Li	nited et al v. Connetics Corporation et al	MOZ 0 Filed00/40/00 Desiration	Doc. 200
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8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	SAN FRANCISCO DIVISION		
11	In re CONNETICS SECURITIES	Case No. C 07-02940 SI	
12	LITIGATION.		
13	This Document Relates To:	[PROPOSED] ORDER APPROVING PLAN OF ALLOCATION	
14	ALL ACTIONS.		
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	[PROPOSED] ORDER RE PLAN OF ALLOCATION Case No. C 07-02940 SI		
		Docket	ts.Justia.com

Lead Plaintiff's Motion for Final Approval of Settlement and Plan of Allocation ("Motion") duly came before the Court for hearing on October 9, 2009, at 9:00 a.m., pursuant to the Court's Order Preliminarily Approving Settlement and Providing for Notice filed July 20, 2009 [Dkt. No. 194]. The Court has read and considered Lead Plaintiff's Motion and all supporting and other related materials, and objections thereto, if any. Due and adequate notice having been given to the Class as required in said Order, and the Court having considered all papers filed and proceedings had herein and otherwise being fully informed in the premises and good cause appearing therefor,

## IT IS HEREBY ORDERED, that:

- 1. This Court has jurisdiction over the subject matter of the Motion. Pursuant to and in full compliance with Rule 23 of the Federal Rules of Civil Procedure, this Court hereby finds and concludes that due and adequate notice was directed to all persons and entities who are Class Members, advising them of the Plan of Allocation and of their right to object thereto, and a full and fair opportunity was accorded to all such persons and entities to be heard with respect to the Plan of Allocation.
- 2. The Court hereby finds and concludes that the formula for the calculation of the claims of Authorized Claimants which is set forth in the Notice of Pendency of Class Action and Proposed Settlement, Final Approval Hearing, and Motion for Attorneys' Fees and Reimbursement of Litigation Expenses (the "Notice") mailed to Class Members provides a fair and equitable basis upon which to allocate the proceeds of the Settlement Fund among the Class Members.

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- 3. The Court hereby finds and concludes that the Plan of Allocation set forth in the Notice is, in all respects, fair and equitable to the Class. Accordingly, the Court hereby approves the Plan of Allocation submitted by Lead Plaintiff.
- 4. The finality of the Judgment entered with respect to the Settlement between Lead Plaintiff, the Class and Defendants shall not be affected in any manner by this Order, or any appeal from this Order approving the Plan of Allocation.

IT IS SO ORDERED this 9th day of October, 2009.

HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE