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COLDWATER CREEK, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BRITTANY KEENE, on behalf of herself  
and all others similarly situated,

Plaintiff,

v.

COLDWATER CREEK, INC., a Delaware  
Corporation, and DOES 1 through 500,  
inclusive,

Defendants.

Case No. C07-5324 WHA

**[PROPOSED] JUDGMENT AND ORDER OF  
DISMISSAL WITH PREJUDICE**

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1 On June 23, 2009, the Court entered an Order granting final approval of the class action  
2 settlement described in the Amended Stipulation of Class Action Settlement (the "Settlement  
3 Agreement") between Plaintiff Brittany Keene ("Plaintiff") and Defendant Coldwater Creek, Inc.  
4 ("Defendant") (together hereinafter the "Parties") and awarding fees and costs as described in the  
5 Court's Order ("Final Approval Order").

6 Pursuant to Paragraphs 4.1, 11.1 and 13.1 of the Settlement Agreement, the Parties  
7 conditioned the effectiveness of the settlement upon the Court entering a Judgment dismissing the  
8 lawsuit with prejudice and agreed to request that the Court enter such Judgment. Now that the  
9 Court has granted final approval to the settlement, the Parties present to the Court this proposed  
10 form of Judgment for the Court's review and approval.

11 **NOW GOOD CAUSE APPEARING, IT IS HEREBY ORDERED AND ADJUDGED THAT:**

12 1. The Court enters judgment in accordance with its Final Approval Order and orders  
13 that the Lawsuit be dismissed on the merits with prejudice on a class-wide basis in accordance with  
14 the terms of the Settlement Agreement. This document shall constitute a final judgment for  
15 purposes of Federal Rule of Civil Procedure, Rule 58.

16 2. All Class Members, except those who timely opted out of the settlement or who  
17 were deemed opted out of the settlement pursuant to the Settlement Agreement, are bound by the  
18 instant Judgment and Order of Dismissal with Prejudice and by the terms of the Settlement  
19 Agreement, including the Release of Claims described in Paragraph 12.1 of the Settlement  
20 Agreement.

21 3. Without affecting the finality of the Settlement or the Judgment in any way, the  
22 Court shall retain exclusive and continuing jurisdiction over this Lawsuit and the Parties, including  
23 all Class Members, for the purposes of monitoring compliance with and performance of the  
24 Settlement.

25 IT IS SO ORDERED.

26 Dated: July 7, 2009, 2009

27 Honorable \_\_\_\_\_  
28 Judge, United States District Court

