

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JULIUS BRIGGS, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

UNITED STATES OF AMERICA,

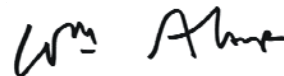
Defendant.

No. C 07-05760 WHA

**NOTICE RE MOTION FOR  
PRELIMINARY APPROVAL  
OF CLASS SETTLEMENT**

At the hearing on January 28, 2009, on plaintiff's unopposed motion for preliminary approval of settlement, counsel should be prepared to address (1) whether the Court has authority to award attorney's fees from the class fund in addition to attorney's fees due pursuant to the Equal Access to Justice Act and (2) how the parties can agree to limit the amount of any EAJA award by way of settlement. Counsel should be prepared to discuss all relevant court opinions and statutory authority in support of their positions on these issues.

Dated: January 26, 2010.



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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE