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

IN RE: No. C 08-01510 WHA
CHARLES SCHWAB CORPORATION
SECURITIES LITIGATION.

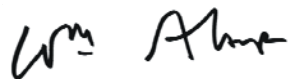
This Document Relates
To All Cases.

**ORDER DENYING AS MOOT
GARY BENSON'S MOTION
FOR RECONSIDERATION OF
HIS OPT-OUT REQUEST**

Gary Benson filed a motion for reconsideration of the order denying his opt-out request (Dkt. No. 915). He has not been granted leave to file the motion as required by Civil Local Rule 7-9(a). Nevertheless, pursuant to the recent order preliminarily approving amendment no. 4 to the stipulation of settlement (Dkt. No. 948), and according to class counsel's subsequent representation (Dkt. No. 953), Mr. Benson is receiving another opportunity to opt out, via a notice that was sent on December 1. Therefore, Mr. Benson's motion for reconsideration is **DENIED AS MOOT**. Mr. Benson may exercise his right to opt out via the new notice. The Clerk shall serve this order on the applicant at the following address: Gary Benson, 737 West Washington Blvd., Unit 2601, Chicago, IL 60661.

IT IS SO ORDERED.

Dated: December 3, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE