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28 Attorneys for Defendant PEROT SYSTEMS CORPORATION

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

ANGELITA GOMEZ,
 Plaintiff,
 vs.
 PEROT SYSTEMS CORPORATION, a
 Delaware Corporation; and DOES 1 to 50,
 Defendants.

Case No. CV-08-03337 SC

**STIPULATION AND [PROPOSED]
 ORDER TO DISTRIBUTE
 SETTLEMENT RESIDUAL AFTER
 SECOND DISTRIBUTION TO
 NEWLY-LOCATED CLASS MEMBER**

Complaint filed: May 27, 2008

The Honorable Samuel Conti

1 Plaintiff Angelita Gomez (“Plaintiff”), by and through Class Counsel, and Defendant Perot
2 Systems Corporation (“Defendant”) (collectively, “the Parties”), by and through its counsel of
3 record, hereby stipulate as follows:

4 WHEREAS, on July 22, 2011, the Court issued an Order directing the Claims Administrator
5 to “perform an immediate second distribution of the current residue in the Settlement Fund to
6 class, with the distributions to each class member pro-rated in the same manner as the first
7 distribution.”; and

8 WHEREAS, on August 19, 2011, a second distribution was made to those 1,234 Class
9 Members who cashed their first settlement award check; and

10 WHEREAS, the last day to cash the second-distribution settlement checks is December 17,
11 2011; and

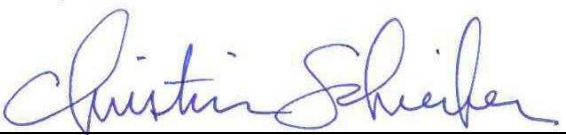
12 WHEREAS, Class Member Brandon Martin has recently come forward and identified
13 himself as a Class Member who did not receive his original settlement award check of \$1,128.83
14 (gross) (and therefore did not receive the second distribution); and

15 THEREFORE, the Parties STIPULATE that if this amount remains in the residual following
16 the void date on the second-distribution settlement award checks, Mr. Martin should receive his
17 original settlement share, or any lesser amount remaining in the residual.

18 THEREFORE, the Parties seek an Order from the Court directing the Claims Administrator
19 to issue a check to Mr. Martin for the amount of his original settlement award (less taxes), if
20 sufficient funds remain in the settlement fund residual following the void date of the second-
21 distribution settlement award checks, and to do so within ten (10) days following its determination
22 of what funds exist.

23 Dated: November 23, 2011


Respectfully Submitted,
CHAVEZ & GERTLER LLP

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26 By: 
Christian Schreiber
Class Counsel

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Dated: November 22, 2011

JACKSON LEWIS LLP

By: 
Joanna Brooks
Attorneys for Defendant PEROT SYSTEMS
CORPORATION

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ORDER

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2 Having read the Stipulation of the Parties regarding the proposed distribution to Class
3 Member Brandon Martin, and good cause appearing therefor, the Court ORDERS Rust
4 Consulting to distribute Mr. Martin's original settlement award consistent with the Parties'
5 Stipulation within 10 days of its determination of the balance of the settlement fund residual.

6 **IT IS SO ORDERED.**

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8 Date: January 3, 2012



Honorable Samuel Conti
United States District Court Judge

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