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6 Attorneys for Defendants
 HUGHES COMMUNICATIONS, INC.
 7 and HUGHES NETWORK SYSTEMS, LLC

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 TINA WALTER, CHRISTOPHER BAYLESS,
 11 and ERIC SCHUMACHER, individually and on
 behalf of all others similarly situated,

12 Plaintiffs,

13 v.

14 HUGHES COMMUNICATIONS, INC. and
 15 HUGHES NETWORK SYSTEMS, LLC,

16 Defendants.

CASE NO.: 09-CV-02136 SC

**STIPULATION AND [~~PROPOSED~~]
 SUPPLEMENTAL ORDER
 REGARDING PRELIMINARY
 APPROVAL OF CLASS ACTION
 SETTLEMENT**

The Honorable Samuel Conti

1 WHEREAS, on February 29, 2012, Plaintiffs Tina Walter, Christopher Bayless and Eric
2 Schumacher (“Plaintiffs”) submitted a [Proposed] Order Conditionally Certifying Class and
3 Granting Preliminary Approval of Class Action Settlement (the “Proposed Order”) with their
4 Supplemental Motion for Preliminary Approval of Settlement and Conditional Certification of
5 Settlement Class in this action;

6 WHEREAS, on March 2, 2012, this Court, adopting the Proposed Order, granted
7 preliminary approval of the proposed settlement in this action;

8 WHEREAS, the Proposed Order inadvertently failed to identify a specific date by which
9 class members who wish to be excluded from the settlement must submit a request for exclusion
10 pursuant to Section 3.4 of the Second Amended Settlement Agreement;

11 WHEREAS, the Parties jointly propose that the Court adopt a deadline of September 28,
12 2012 (coinciding with the deadline for submission of settlement Claim Forms, pursuant to Section
13 2.8 of the Second Amended Settlement Agreement) for class members to submit requests for
14 exclusion; the parties believe this deadline will provide ample time for class members to opt out
15 of the settlement, should they wish to do so;

16 WHEREAS, notices to class members approved by the Court under the Proposed Order
17 already contain a space for the date by which requests for exclusion from the class are to be
18 postmarked, which will be filled in with the date ordered by the Court, and thus no new or
19 amended notice forms will be required;

20 IT IS HEREBY STIPULATED, by and between the Parties through their respective
21 counsel, that:

22 1. All requests for exclusion submitted by Settlement Class Members wishing to be
23 excluded from the settlement in this action must be mailed (postmarked) pursuant to Section 3.4
24 of the Second Amended Settlement Agreement on or before September 28, 2012; and
25
26
27
28

1 2. A copy of this Stipulation and Order shall be posted on the Settlement Website,
2 together with a copy of the Court's Order granting Preliminary Approval, pursuant to Section
3 3.2(e) of the Second Amended Settlement Agreement.

4
5 IT IS SO STIPULATED.

6
7 Dated: March 19, 2012

HOGAN LOVELLS US LLP

8 By: _____ /s/
9 Robert B. Hawk

10 Attorneys for Defendants
11 HUGHES COMMUNICATIONS, INC. and
12 HUGHES NETWORK SYSTEMS LLC

13 Dated: March 19, 2012

BRAMSON, PLUTZIK, MAHLER
& BIRKHAUSER, LLP

14
15 By: _____ /s/
16 Jennifer S. Rosenberg
17 Attorneys for Plaintiffs

18 PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED

19
20 Dated: March 20, 2012



21 THE HONORABLE SAMUEL CONTI