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 14 Attorneys for Plaintiff Matthew Ozga and others
 similarly situated

15
 16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18

19 MATTHEW OZGA, on his own behalf
 20 individually and on behalf of others similarly
 situated,

21 Plaintiffs,

22 vs.

23 U.S. REMODELERS, INC., U.S.
 24 REMODELERS, INC. dba U.S. HOME
 SERVICES, and DOES 1-25, inclusive,

25 Defendants.
 26
 27
 28

Case No. 3:09-cv-05112 JSW

**[proposed] ORDER GRANTING AS MODIFIED
 PLAINTIFFS' MOTION FOR
 PRELIMINARY APPROVAL OF CLASS-
 ACTION SETTLEMENT, CONDITIONAL
 CERTIFICATION OF SETTLEMENT
 CLASS, APPROVAL OF NOTICE OF
 SETTLEMENT, AND SETTING OF
 HEARING FOR FINAL APPROVAL**

Date: March 5, 2010
 Time: 9:00 am
 Courtroom: 11
 Judge: The Hon. Jeffrey S. White

ORDER

1
2 Plaintiff has filed a Motion for Preliminary Approval of class action Settlement. Defendant
3 does not oppose the Motion. The Court has considered the papers submitted in support of the
4 Motion and the terms of the proposed settlement. Based on the papers and pleadings on file
5 herein, the Court hereby finds that the settlement falls within “the range of reasonableness” for
6 preliminary approval, and is therefore deserving of preliminary approval.

7 As a result, the Court hereby ORDERS as follows:

8 1. Preliminary approval of the class action Settlement Agreement, attached as Exhibit
9 A to the Motion for Preliminary Approval, is GRANTED;

10 2. CPT Group, Inc. is appointed as Claims Administrator and the estimate of the costs
11 of claims administration is approved;

12 3. For purposes of settling this lawsuit, the Court provisionally certifies the following
13 Settlement Class pending final approval of the settlement:

14 any individual who was employed by U.S. Remodelers in the State of California in the
15 position/job classification of “Installer,” including trainees and/or apprentices for that
16 position, at any time between February 17, 2005 and the date of the Preliminary Approval of
17 this Settlement by the Court, with the exception of any individuals who choose to be
18 excluded from participating in the settlement by timely opting out as provided in the
19 Settlement Agreement and Class Notice attached to the Settlement Agreement as Exhibit A;

20 4. Plaintiff Matthew Ozga is appointed as the representative of the Settlement Class;

21 5. Schneider Wallace Cottrell Brayton Konecky LLP and Berger & Montague, P.C. are
22 approved as Class Counsel for the Settlement Class;

23 6. The forms of ~~Class Notice and Claim Form~~, in the form attached as ~~Exhibits A and~~
24 ~~B~~, respectively, to the Settlement Agreement, ^{is} ~~are~~ approved; and submitted on 2/25/10 is approved.

25 7. The following schedule and procedure for completing the final approval process is
26 approved:

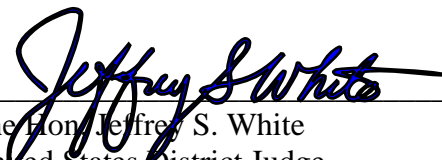
USRI to send \$500,000 to Claims Administrator for deposit into Qualified Settlement Fund	Upon execution of Settlement Agreement
Mailing of Class Notices and Claim Forms	10 days after preliminary approval
Deadline to postmark objections or requests for	30 days after notice mailing

1	exclusion	
2	Deadline to postmark Claim Form	45 days after notice mailing
3	Claims Administrator provides status declaration to parties and detail of actual administration costs	7 days before Settlement Fairness hearing
4	Settlement Fairness (final approval) hearing	TBD (no earlier than 101 days after notice mailing, to account for governmental notice requirement of Class Action Fairness Act)
5	Effective Date	TBD
6	USRI to send \$1,300,000 to Claims Administrator for deposit into Qualified Settlement Fund	Within 5 business days of Effective Date
7	Enhancement payments for Ozga and Moshkovich	Within 5 business days of Effective Date
8	Payment of Plaintiff's counsel's attorneys' fees and costs	Within 5 business days of Effective Date
9	Payment of Settlement Awards	Within 15 business days of Effective Date

The final approval hearing shall be heard on Friday, August 6, 2010 at 9:00 a.m.

IT IS SO ORDERED.

Date: February 26, 2010 _____


 The Hon. Jeffrey S. White
 United States District Judge