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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHRISTINA SMITH, et al.,

Plaintiffs,

No. C 10-00010 JSW

v.

LEVINE LEICHTMAN CAPITAL
PARTNERS, INC., et al.,

Defendants.

**ORDER VACATING HEARING
AND REQUIRING REVISED
PROPOSED ORDER**

The motion for preliminary approval of class action settlement filed by Plaintiffs is currently set for hearing on Friday, May 4, 2012 at 9:00 a.m. This matter is now fully briefed and ripe for consideration. The Court finds that this matter is appropriate for disposition without oral argument and is deemed submitted. *See* Civ. L.R. 7-1(b). Accordingly, the hearing set for May 4, 2012 is **HEREBY VACATED**.

The Court **FURTHER ORDERS** that by no later than May 10, 2012, Plaintiffs shall submit a revised proposed order granting the motion for preliminary approval with the following modifications:

- (1) Plaintiffs shall insert the date they filed their motion;
- (2) Plaintiffs shall insert the date the Settlement Agreement is dated;
- (3) Plaintiffs shall delete Toni Neilson as a plaintiff pursuant to the amendment to the Settlement Agreement;

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- (4) The deadline for the Settlement Administrator to establish a toll-free number shall precede the deadline to mail and publish the notice, in order to ensure that the Settlement Administrator can include this number in the notice;
- (5) Plaintiffs shall amend the deadline for submitting claims to ninety days after the final approval hearing; and
- (6) Plaintiffs shall amend the deadline for submitting objections and for opting out of the class to ninety days after the notice deadline.

Moreover, pursuant to 28 U.S.C. § 1715(b), Defendants should have already provided the requisite notice to the appropriate federal and state officials. By no later than May 10, 2012, Defendants shall file a declaration or declarations stating when they provided the notice required by this statute.

IT IS SO ORDERED.

Dated: May 3, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE