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2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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6 JAMES COLLINS, et al.,  
7 Plaintiffs,  
8 v.  
9 GAMESTOP CORP., et al.,  
10 Defendants.  
11

NO. C10-1210 TEH

ORDER RE: SUPPLEMENTAL  
BRIEFING ON MOTION FOR  
PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT

12 No opposition to Plaintiffs' motion for preliminary approval of a class action  
13 settlement has been received, and the time for opposing the motion has passed. The Court  
14 has reviewed the moving papers and determined that oral argument is unnecessary.  
15 Accordingly, the April 2, 2012 hearing is VACATED. However, the Court has the following  
16 questions that the parties shall answer in a joint filing on or before **March 30, 2012**:

17 1. Who is the proposed Claims Administrator? Please also describe any affiliation  
18 the proposed Claims Administrator may have with any of the parties.

19 2. Has Defendant complied with 28 U.S.C. § 1715(b)? If not, it shall provide the  
20 requisite notice immediately. Proof of service shall be filed with the required joint filing.

21 3. What are the parties' proposed dates for paragraph 14 of the proposed order? In  
22 discussing these dates, the parties should consider the following issues: First, the final  
23 approval hearing must be at least 90 days after notice under 28 U.S.C. § 1715(b) was served.  
24 28 U.S.C. § 1715(d). Second, class members must have an adequate opportunity to evaluate  
25 Plaintiffs' motion for attorneys' fees before the deadline for filing objections. *In re Mercury*  
26 *Interactive Corp. Sec. Litig.*, 618 F.3d 988, 995 (9th Cir. 2010). Thus, the motion for  
27 attorneys' fees must be filed prior to the deadline for filing objections, and not concurrent  
28 with Plaintiffs' response to any objections. Third, the parties' agreement that objections be

1 delivered within 30 days of the Court's order granting preliminary approval appears to leave  
2 class members with inadequate time to consider whether to object, as the agreement provides  
3 that the Claims Administrator shall send class notice within 15 days of the order.


4 The Court anticipates that it will enter an order granting Plaintiffs' motion after  
5 reviewing the parties' joint filing but will notify the parties if any questions remain.

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7 **IT IS SO ORDERED.**

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9 Dated: 03/23/12

  
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THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT

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