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IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDGAR W. TUTTLE, ERIC BRAUN, and  
 THE BRAUN FAMILY TRUST by its co-  
 trustee ERIC BRAUN, on behalf of  
 themselves and all others similarly situated,

No. C 10-03588 WHA

Plaintiffs,

**ORDER FINALIZING  
 CLASS NOTICE PLAN**

v.

SKY BELL ASSET MANAGEMENT,  
 LLC, *et al.*,

Defendants.

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On March 6, 2012, an order issued tentatively resolving all matters related to class notice (Dkt. No. 326). The parties had until March 12, to file objections. Defendant Rothstein, Kass, & Company, PC, responded, indicating it concurs with the proposed form of class notice, means of dissemination, and schedule (Dkt. No. 327). Plaintiffs responded, indicating they have no objection to the class notice or the means of dissemination, but requesting that the deadline for mailing class notice be extended to March 23 (Dkt. No. 328). The deadline will be so extended.

The class notice filed concurrently herewith has been revised and finalized. Two revisions were made: (1) addition of opt-out date and (2) addition of the following language under Section 6: “*Class members may enter an appearance through an attorney if the member so desires.*”

The Class administrator shall mail the official class notices (with contact information for the class administrator completed and using the most up-to-date contact information for

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prospective class members provided to it by class counsel) to prospective class members as official class notice. The notices must be disseminated by **MARCH 23, 2012**. All other provisions regarding class notice in the order dated March 6 are confirmed.

Class counsel is reminded that after the opt-out period has closed, class counsel shall file an updated report on class size with the finalized class rosters appended. This should be done by **MAY 16**. Class counsel shall also file a statement reporting the date on which the class-notice mailing is completed. This statement is due **MARCH 30**.

**IT IS SO ORDERED.**

Dated: March 14, 2012.



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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE