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

TETSUO AKAOSUGI, HIEU NGUYEN,
and RINKO DONAHUE, on behalf of
themselves and all others similarly situated,

No. C 11-01272 WHA

Plaintiffs,

**ORDER RE MOTION FOR FINAL
APPROVAL OF CLASS SETTLEMENT**

v.


BENIHANA NATIONAL
CORPORATION,

Defendant.

The Court is inclined to exclude from the settlement and release the 116 individuals for whom mail was returned as undeliverable and no updated address could be obtained. The settlement fund would be reduced in a corresponding amount. The Court is also inclined to split the cy pres reversion to allow half to go to The Legal Aid Society–Employment Law Center and half to the Lawyer’s Committee for Civil Rights. If counsel have any objections, they are requested to file supplemental briefs, supported by legal authority and citations, due by **NOON ON TUESDAY JANUARY 22.**

IT IS SO ORDERED.

Dated: January 17, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California