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

DANIEL SPALDING, et al.,
Plaintiffs,

v.

CITY OF OAKLAND, et al.,
Defendants.

NO. C11-2867 TEH

ORDER GRANTING JOINT
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT

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This matter comes before the Court on the parties' joint motion for preliminary approval of the class action settlement agreement ("Agreement"), which is attached as Exhibit 1 to the motion papers filed on May 22, 2013. The time for opposing the motion has passed, and no oppositions have been filed. After carefully considering the written record, the Court is satisfied that the proposed settlement meets the requirements for preliminary approval and VACATES the hearing scheduled for July 1, 2013, and the case management conference scheduled for July 22, 2013. With good cause appearing, IT IS HEREBY ORDERED that:

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1. Capitalized terms used in this order shall have the same meaning as set forth in the Agreement.

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2. The Agreement is preliminarily approved as fair, adequate, reasonable, and within the range of possible approval, subject to further consideration at the Final Approval Hearing. It appears that the Agreement was negotiated at arm's length and is not the product of collusion.

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3. The Court will retain discretion to appoint Magistrate Judge Laurel Beeler or any other individual to handle disputes relating to the interpretation, implementation, and enforcement of the Agreement. The Court may also itself resolve any such disputes.

1 4. The form of Notice and Claim Form attached as Exhibit 2 to the motion is
2 approved. On or before **June 21, 2013**, Class Counsel shall provide notice to the class by
3 email and postal mail to those Class Members whose contact information is known to Class
4 Counsel. Class Counsel shall also post the Notice and Claim Form on the class website and
5 publicize the link to the Notice and Claim Form via social media.

6 5. Class Counsel shall use reasonable means, including emails and telephone calls
7 where contact information is known to counsel, to contact any Class Members who have not
8 submitted a Claim Form by **July 22, 2013**.

9 6. The Bar Date – i.e., the date by which Claim Forms must be postmarked or
10 delivered by email, fax, or in person to be considered for payment – shall be **August 5, 2013**.


11 7. Class Members may object to the Agreement by submitting a written objection
12 to this Court, with a copy to Class Counsel, on or before **August 5, 2013**. Objections will be
13 filed in the public record. If a Class Member wishes to appear at the Final Approval Hearing
14 to object to the settlement, he or she should indicate such intent in the written objection.

15 8. Counsel for the Parties shall file a joint statement on or before **August 19,**
16 **2013**, indicating the number of claims received and responding to any written objections
17 submitted by Class Members.

18 9. The Final Approval Hearing shall be held on **September 9, 2013, at**
19 **10:00 AM**. The Court may continue the date of the Final Approval Hearing without further
20 notice to Class Members.

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22 **IT IS SO ORDERED.**

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24 Dated: 06/13/13



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT