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Attorneys for Defendant Source Refrigeration & HVAC, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

LYLE E. GALEENER, individually and on behalf of all others similarly situated,

Plaintiff,

v.

SOURCE REFRIGERATION & HVAC, INC.,

Defendant.

Case No. 13-cv-04960-VC

**STIPULATION AND ~~PROPOSED~~
ORDER RE EDIT TO CLASS NOTICE**

The Honorable Vince Chhabria
Courtroom 4; 17th Floor

1 WHEREAS, on March 13, 2015, the Court granted preliminary approval of the parties'
2 proposed class action settlement, approving, among other things, the Class Notice and
3 Confirmation Form;

4 WHEREAS, the Class Notice explains to class members that the settlement provides for
5 \$10,000,000 in monetary relief as a common fund, from which attorneys' fees and costs and class
6 representative service payments approved by the Court will be subtracted;

7 WHEREAS, Source provided the class data to the Settlement Administrator as scheduled
8 on April 10, 2015;

9 WHEREAS, the Class Notice is scheduled to be disseminated to the Class Members on
10 April 27, 2015;

11 WHEREAS, the Confirmation Form that will be sent to Class Members along with the
12 Class Notice correctly states that "[i]t is estimated that \$6,700,000 will remain for Class Members
13 to share after these expenses and costs are taken out," which is arrived at as follows:
14

15 \$10,000,000 common fund
16 - \$3,000,000 in attorneys' fees
17 - \$75,000 in class representative service payments
18 - \$195,000 in out-of-pocket costs
19 - \$30,000 in costs of administration
20 = \$6,700,000;

21 WHEREAS, the Class Notice informs Class Members that Class counsel will seek
22 reimbursement for "out-of-pocket costs of up to \$195,000," without mentioning costs of
23 administration by the Court-appointed Settlement Administrator CPT Group; and

24 WHEREAS, the parties wish to edit the Class Notice by adding the following text in
25 Section 18 to ensure that Class Members are aware of the \$30,000 in costs of administration,
26 consistent with the \$6,700,000 figure listed in the Confirmation Form: "The cost of
27 administration of the settlement, estimated to be approximately \$30,000, will also come from the
28 settlement fund."

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THEREFORE, the Parties respectfully request that the Court approve the addition of the text listed above to Section 18 of the Class Notice.

Dated: April 13, 2015

DLA PIPER LLP (US)

By: /s/ Benjamin M. Gipson
BENJAMIN M. GIPSON
Attorneys for Defendant
SOURCE REFRIGERATION & HVAC,
INC.

Dated: April 13, 2015

OUTTEN & GOLDEN LLP

By: /s/ Jahan Sagafi
JAHAN SAGAFI
Attorneys for Plaintiff and the Putative Class

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that:

- (1) The Class Notice shall be edited to include the following text in Section 18:
“The cost of administration of the settlement, estimated to be approximately \$30,000, will also come from the settlement fund.”

IT IS SO ORDERED.

Dated: April 15, 2015



VINCE CHHABRIA
UNITED STATES DISTRICT JUDGE