

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C 06-07339 CW

THOMAS FERNANDEZ; LORA SMITH; and
TOSHA THOMAS, individually and on
behalf of a class of all other
persons similarly situated,

Plaintiffs,

v.

K-M INDUSTRIES HOLDING CO., INC.; K-M
INDUSTRIES HOLDING CO., INC. ESOP
PLAN COMMITTEE; WILLIAM E. AND
DESIREE B. MOORE REVOCABLE TRUST;
TRUSTEES OF THE WILLIAM E. AND
DESIREE B. MOORE REVOCABLE TRUST; CIG
ESOP PLAN COMMITTEE; NORTH STAR TRUST
COMPANY; DESIREE B. MOORE REVOCABLE
TRUST; WILLIAM E. MOORE MARITAL
TRUST; WILLIAM E. MOORE
GENERATIONSKIPPING
TRUST; and DESIREE MOORE,
both in her individual capacity and
as trustee of the William E. and
Desiree B. Moore Revocable Trust's
successor trusts named above,

Defendants.

ORDER CORRECTING
ORDER DENYING NORTH
STAR'S MOTION FOR
JUDGMENT ON THE
PLEADINGS AND
GRANTING
THE SETTTLING
PARTIES'
CROSS-MOTION FOR
JUDGMENT ON THE
PLEADINGS (DOCKET
NO. 330)

On August 21, 2009, the Court issued an order denying North
Star's motion for judgment on the pleadings and granting the
settling parties' cross-motion for judgment on the pleadings.
(Docket No. 330). The Court revises this prior order. Any
reference made to Section 2(a) of the 1998 and 1999 Stock Purchase

1 Agreements in the Court's discussion at part II.A should instead
2 refer to Section 2(b) of those agreements.

3 IT IS SO ORDERED.

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5 Dated: 9/8/09

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CLAUDIA WILKEN
United States District Judge