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 11 *DAVID MARTIN, PERRY DEAN, DONALD ALEXANDER,*
 12 *ANTHONY SILVA, and the proposed Plaintiff Class*

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

16 DAVID MARTIN, PERRY DEAN,
 DONALD ALEXANDER, and
 17 ANTHONY SILVA, on behalf of
 themselves and a class of those similarly
 18 situated,

19 Plaintiffs,

20 v.

21 NEW UNITED MOTOR
 MANUFACTURING, INC.

22 Defendant.
 23

Case No. C-07-3887-PJH

**STIPULATION AND [PROPOSED] ORDER
 MODIFYING SECTION VI.F.4 OF THE
 JOINT STIPULATION OF CLASS
 SETTLEMENT AND CLASS
 SETTLEMENT AGREEMENT AND
 RELEASE**

Case No. C-07-3887-PJH

1 This Stipulation is entered into by and between David Martin, Perry Dean, Donald
2 Alexander, and Anthony Silva (collectively "Plaintiffs"), by and through their undersigned
3 counsel, and New United Motor Manufacturing, Inc. ("NUMMI"), by and through its undersigned
4 counsel. Plaintiffs and NUMMI are collectively referred to herein as the "Parties."

5 **RECITALS**

6 WHEREAS, the Court preliminarily approved the settlement in this case on July 30, 2008,
7 including the terms of the Joint Stipulation of Class Settlement and Class Settlement Agreement
8 and Release ("Settlement Agreement") filed by the Parties on July 15, 2008 (Docket No. 29);

9 WHEREAS, Section VI.F.4 of the Settlement Agreement currently states that, when the
10 plaintiffs file their motion for final settlement approval, the Claims Administrator shall "file with
11 the Court true copies of the valid Claim Forms . . . it has received, except it will first redact from
12 the documents the addresses, telephone numbers, e-mail addresses, the Social Security numbers,
13 and information relating to Compensable Work Days and estimated Settlement Shares."

14 WHEREAS, although the Parties believe that identifying information should be redacted
15 from any publicly-filed Claims Forms in order to protect class members' privacy and to minimize
16 the risk of retaliation, Claims Forms redacted in accordance with Section VI.F.4 contain no
17 information relevant to evaluating the fairness of the settlement;

18 WHEREAS, as of the date on which plaintiffs filed their motion for final settlement
19 approval, the Claims Administrator had received 494 valid Claim Forms;

20 WHEREAS, filing all 494 redacted Claim Forms would inundate the Court with nearly
21 2,000 pages of documents;

22 WHEREAS, because the settlement is non-reversionary, the number and amount of claims
23 will not affect the amount paid by defendant;

24 WHEREAS, declarations from the Claims Administrator regarding the number of claims
25 received are an adequate substitute for filing the Claims Forms themselves because such
26 declarations will fully inform the Court about the level of participation in the settlement;

27 THEREFORE, the Parties stipulate and agree as follows:
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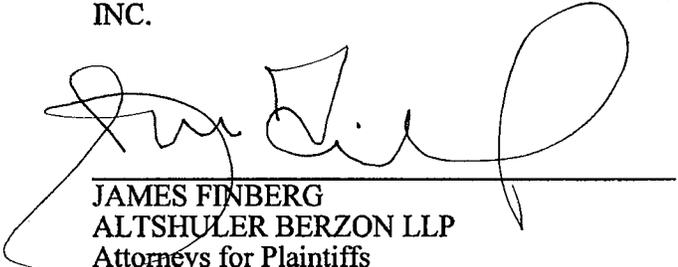
STIPULATION AND AGREEMENT

Section VI.F.4 of the Settlement Agreement is hereby modified to eliminate the requirement that the Claims Administrator redact and file with the Court the valid Claims Forms it has received.

October 8, 2008


MARLENE S. MURACO
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Attorneys for Defendant
NEW UNITED MOTOR MANUFACTURING,
INC.

October 8, 2008


JAMES FINBERG
ALTSHULER BERZON LLP
Attorneys for Plaintiffs
DAVID MARTIN, PERRY DEAN, DONALD
ALEXANDER, ANTHONY SILVA, and the
proposed Plaintiff Class

ORDER

The foregoing Stipulation is approved, and IT IS SO ORDERED.

Dated: 10/21/08

