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12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

16 ARNESHA M. GARNER,
 17 Plaintiff,
 18 v.
 19 STATE FARM MUTUAL
 20 AUTOMOBILE INSURANCE
 COMPANY,
 21 Defendant.

CASE NO. CV 08 1365 CW (EMC)

**~~PROPOSED~~ ORDER APPROVING
 DISTRIBUTION OF UNDELIVERABLE
 SETTLEMENT FUNDS TO APPROVED
 CY PRES RECIPIENTS**

The Honorable Claudia Wilken

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1 This matter comes before the Court on the parties' Joint Report Regarding
2 Completion of Distribution of Settlement Funds to Class and Request for Permission to
3 Distribute Undeliverable Funds to Approved *Cy Pres* Recipients. The parties report that they
4 have completed the distribution of settlement funds to the Settlement Class Members, that they
5 have made all reasonable efforts, consistent with the terms of the Settlement (Docket No. 248 at
6 Ex. A), to ensure that settlement funds were received by the Settlement Class Members, and that
7 they have successfully distributed all but a small portion of the settlement funds (approximately
8 \$68,331.19 of the \$9,662,097.71 net settlement funds) to Settlement Class Members. With
9 respect to these remaining, undeliverable funds, the parties request that, consistent with the
10 Settlement (Settlement, § 9.7), the Court approve the distribution of such funds to the Court-
11 approved *cy pres* recipients, Volunteer Legal Services Program and Bay Area Legal Aid.
12 Having considered the matter and the record in these proceedings, and good cause appearing, the
13 Court hereby ORDERS as follows:

14 1. The Court GRANTS the parties' request. The remaining, undelivered
15 settlement funds shall be distributed evenly among the previously-approved *cy pres* recipients,
16 Volunteer Legal Services Program and Bay Area Legal Aid.

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18 IT IS SO ORDERED.

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21 Date: February 21, 2012

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23 The Honorable Claudia Wilken
United States District Court Judge

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