

1 SEDGWICK, DETERT, MORAN &
 2 ARNOLD LLP
 3 KEVIN J. DUNNE Bar No. 40030
 4 LAURA L. GOODMAN Bar No. 142689
 5 One Market Plaza
 6 Steuart Tower, 8th Floor
 7 San Francisco, California 94105
 8 Telephone: (415) 781-7900
 9 Facsimile: (415) 781-2635

LIEFF, CABRASER, HEIMANN &
 BERNSTEIN, LLP
 ROBERT J. NELSON Bar No. 132797
 ROGER HELLER Bar No. 215348
 Embarcadero Center West
 275 Battery Street, 30th Floor
 San Francisco, California 94111
 Telephone: (415) 956-1000
 Facsimile: (415) 956-1008

6 SKADDEN, ARPS, SLATE, MEAGHER &
 7 FLOM LLP
 8 KATHERINE ARMSTRONG (pro hac vice)
 9 Four Times Square
 10 New York, New York 10036
 11 Telephone: (212) 735-3000
 12 Facsimile: (212) 735-2000

BIRKA-WHITE LAW OFFICES
 DAVID M. BIRKA-WHITE Bar No. 85721
 411 Hartz Avenue, Suite 200
 Danville, California 94526
 Telephone: (925) 362-9999
 Facsimile: (925) 362-9970

10 Attorneys for Defendant
 11 STATE FARM MUTUAL AUTOMOBILE
 12 INSURANCE COMPANY

Attorneys for Plaintiff
 ARNESHA M. GARNER

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
 21 COMPANY,
 22 Defendant.

CASE NO. CV 08 1365 CW (EMC)
**~~PROPOSED~~ ORDER CLOSING
 ADMINISTRATION OF CLASS ACTION
 SETTLEMENT**

The Honorable Claudia Wilken

1 This matter comes before the Court on the Final Joint Report of Parties Regarding
2 Completion of Distribution of Settlement Funds to Class and *Cy Pres* Recipients and Request for
3 Order Declaring Settlement Closed (“Final Report”).

4 On December 30, 2009, the parties reached final agreement on the terms of a Settlement
5 Agreement (Exhibit A to Docket 248), and submitted the Settlement to the Court for preliminary
6 approval. (*See* Docket Nos. 243, 247, 248.) On January 15, 2010, the Court granted preliminary
7 approval of the Settlement. (*See* Docket No. 252.) The Court granted final approval of the
8 Settlement on April 22, 2010, and entered Judgment in the matter on May 4, 2010. (*See* Docket
9 Nos. 282, 286.)

10 The parties have previously reported to the Court that they had completed the distribution
11 of settlement funds to the Settlement Class Members; that they had made all reasonable efforts,
12 consistent with the terms of the Settlement to ensure that settlement funds were received by the
13 Settlement Class Members; and that they had successfully distributed all but a small portion of
14 the settlement funds (approximately \$68,331.19 of the \$9,662,097.71 net settlement funds) to
15 Settlement Class Members. (*See* Docket No. 289: Joint Report of Parties Regarding Completion
16 of Distribution of Settlement Funds to Class And Request For Permission To Distribute
17 Undeliverable Funds To Approved *Cy Pres* Recipients.)

18 On February 21, 2012, this Court issued its Order Approving Distribution of
19 Undeliverable Funds to Approved *Cy Pres* Recipients. (Docket 290.) The Court ordered that
20 “[t]he remaining, undelivered settlement funds shall be distributed evenly among the previously-
21 approved *cy pres* recipients, Volunteer Legal Services Program and Bay Area Legal Aid.

22 On March 8, 2012, the parties reported that the Settlement Administrator had paid the
23 remaining funds to the approved *cy pres* recipients and that the *cy pres* checks had been cashed.

24 The Court, having reviewed the parties’ Final Report, hereby finds that:

25 1. The Settlement has been carried out in accordance with the Settlement Agreement
26 and the related Orders of this Court.

27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2. Defendant State Farm, Plaintiff, Class Counsel and the Settlement Administrator have fulfilled their respective obligations under the Settlement Agreement and related Orders of this Court.

3. All settlement funds have been distributed in a manner consistent with the Settlement Agreement and related Orders of this Court.

Accordingly, the Court hereby orders that that administration of this Settlement is now closed, with no further obligations required of Defendant State Farm, Plaintiff, Class Counsel or the Settlement Administrator.

IT IS SO ORDERED.

Date: April 9, 2012



The Honorable Claudia Wilken
United States District Court Judge