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40 Attorneys for Defendants
41 VERIZON COMMUNICATIONS INC.,
42 VERIZON CALIFORNIA INC., VERIZON
43 CORPORATE SERVICES GROUP INC.,
44 VERIZON SERVICES CORP., TELESECTOR
45 RESOURCES GROUP, INC. d/b/a VERIZON
46 SERVICES GROUP, VERIZON SERVICES
47 OPERATIONS INC., VERIZON SERVICES
48 ORGANIZATION, INC., VERIZON
49 CORPORATE SERVICES CORP., and
50 VERIZON DATA SERVICES, INC.

51
52 **UNITED STATES DISTRICT COURT**
53 **NORTHERN DISTRICT OF CALIFORNIA**
54 **OAKLAND DIVISION**

55 DESIREE MOORE and KAREN JONES
56 individually and on behalf of a class of similarly
57 situated individuals,

58 Plaintiffs,

59 vs.

60 VERIZON COMMUNICATIONS INC.,
61 VERIZON CALIFORNIA, INC., VERIZON
62 CORPORATE SERVICES GROUP INC.,
63 VERIZON SERVICES CORP., TELESECTOR
64 RESOURCES GROUP, INC. d/b/a VERIZON
65 SERVICES GROUP, VERIZON SERVICES
66 OPERATIONS INC., VERIZON SERVICES
67 ORGANIZATION, INC., VERIZON
68 CORPORATE SERVICES CORP., VERIZON
69 DATA SERVICES, INC., and DOES 1 through
70 25,

71 Defendants.

CASE NO. CV 09-1823 SBA

**STIPULATION AND ~~PROPOSED~~
ORDER TO CORRECT THE
COURT'S FINAL APPROVAL
ORDER DUE TO A SCRIVNER'S
ERROR**

The Honorable Sandra B. Armstrong

1 WHEREAS, on February 27, 2012, Plaintiffs filed a Notice of Errata Re Plaintiffs'
2 Motion for Preliminary Approval correcting the definition of "Aggregators" contained in the
3 Parties' Settlement Agreement to include the Billing Resource LLC. (Dkt. Nos. 94 & 96.)

4 WHEREAS, on February 28, 2012, the Court entered the Preliminary Approval Order,
5 which, *inter alia*, certified the Settlement Class and defined the class to include customers of the
6 Billing Resource LLC (Dkt. No. 99.).

7
8 WHEREAS, millions of Bill Inserts and Email Notices were sent to Settlement Class
9 Members identifying the Billing Resource LLC as an "Aggregator" covered by this settlement,
10 and the Preliminary Approval Order identifying the Billing Resource LLC as an Aggregator
11 covered by the Settlement was included on the Settlement Class Website.

12
13 WHEREAS, on August 28, 2013, the Court entered the Final Approval Order (Dkt. No.
14 196), which in footnote 2 thereof listed the incorrect definition of "Aggregators" that had been
15 contained in Plaintiffs' initially filed Motion for Preliminary Approval (Dkt. No. 91) which
16 inadvertently excluded The Billing Resource LLC from the listing.

17 WHEREAS, the exclusion of The Billing Resource LLC from the list of "Aggregators"
18 enumerated in the Final Approval Order appears to have been an inadvertent scrivener's error.

19 NOW THEREFORE, the parties, by their undersigned counsel, hereby stipulate, subject to
20 the approval of the Court, as follows:

21
22 1. Footnote two on page five of the August 28, 2013 Final Approval Order (Dkt. No.
23 196) should be corrected to state:

24 The Settlement Agreement defines "Third Party Charge" as "a charge from a
25 Third- Party Service Provider billed by Verizon to the Settlement Class through an
26 "Aggregator." (Settlement Agreement at 9.) The term "Third-Party Service
27 Provider(s)" is defined as "any Person whose charges were billed by Verizon to the
28 Settlement Class through an Aggregator." (*Id.*) The term "Aggregators" is defined
as "Billing Concepts, Inc. a/k/a Billing Services Group Clearing Solutions or BSG
d/b/a USBI and ZPDI, ACI Billing Services Inc. d/b/a OAN, Enhanced Services
Billing, Inc. d/b/a ESBI, and HBS Billing Services Company (collectively, 'Billing

1 Concepts Inc.'), The Billing Resource d/b/a Integretel, The Billing Resource LLC
2 (collectively, 'The Billing Resource'), ILD Teleservices, Inc., ('ILD'), Transaction
3 Clearing, LLC ('Transaction Clearing') and PaymentOne Corp., d/b/a PaymentOne
4 or Ebillit ('Payment One') or any of them." Id. at 2.

5 2. The correction of this scrivener's error is *nunc pro tunc* and shall not have any
6 effect on the Effective Date of the Class Settlement, nor shall it have any effect on the date of the
7 Judgment entered by this Court on October 30, 2013 (Dkt. No. 208) nor the time for appealing
8 such Judgment.
9

10 Respectfully submitted,

11
12 Dated: February 6, 2014

MUNGER, TOLLES & OLSON LLP

13 Henry Weissmann
14 Rosemarie T. Ring

15 By: /s/ Zachary M. Briers
Zachary M. Briers

16 Attorneys for Defendants

17
18 Dated: February 6, 2014

JACOBS KOLTON, CHTD

19 John G. Jacobs
20 Bryan G. Kolton

21 By: /s/ John G. Jacobs
John G. Jacobs

22 Attorneys for the Settlement Class
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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION AND FOR GOOD CAUSE SHOWN, IT IS SO ORDERED:

1. Footnote two on page five of the Court's August 28, 2013 Final Approval Order (Dkt. No. 196) is corrected to state:

The Settlement Agreement defines "Third Party Charge" as "a charge from a Third- Party Service Provider billed by Verizon to the Settlement Class through an "Aggregator." Settlement Agreement at 9. The term "Third-Party Service Provider(s)" is defined as "any Person whose charges were billed by Verizon to the Settlement Class through an Aggregator." *Id.* The term "Aggregators" is defined as "Billing Concepts, Inc. a/k/a Billing Services Group Clearing Solutions or BSG d/b/a USBI and ZPDI, ACI Billing Services Inc. d/b/a OAN, Enhanced Services Billing, Inc. d/b/a ESBI, and HBS Billing Services Company (collectively, 'Billing Concepts Inc.'), The Billing Resource d/b/a Integretel, The Billing Resource LLC (collectively, 'The Billing Resource'), ILD Teleservices, Inc., ('ILD'), Transaction Clearing, LLC ('Transaction Clearing') and PaymentOne Corp., d/b/a PaymentOne or Ebillit ('Payment One') or any of them." *Id.* at 2.

2. The correction of this scrivener's error is *nunc pro tunc* and shall not have any effect on the Effective Date of the Class Settlement, nor shall it have any effect on the date of the Judgment entered by this Court on October 30, 2013 (Dkt. No. 208) nor the time for appealing such Judgment.

Dated: February 6, 2014


SAUNDRA B. ARMSTRONG

United States District Judge

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Filer's Attestation

I, Zachary M. Briers, am the ECF user whose identification and password are being used to file this JOINT ADMINISTRATIVE MOTION TO CORRECT THE COURT'S FINAL APPROVAL ORDER DUE TO A SCRIVENER'S ERROR. In compliance with General Order 45.X.B, I hereby attest that the other above-named signatories concur in this filing.

Date: February 6, 2014

By: /s/ Zachary M. Briers
Zachary M. Briers