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6 [Additional Counsel Listed on Signature
 7 Page]

8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

10 SAMUEL KELLER et al.,

11 Plaintiffs,

12 v.

13 NATIONAL COLLEGIATE ATHLETIC
 14 ASSOCIATION; COLLEGIATE
 LICENSING COMPANY; and
 15 ELECTRONIC ARTS INC.,

16 Defendants.

Case No. 09-cv-1967 CW

**PLAINTIFFS' NOTICE OF MOTION AND
 MOTION FOR PRELIMINARY APPROVAL
 OF CLASS ACTION SETTLEMENT**

Judge: Honorable Claudia Wilken
 Date: July 3, 2014
 Time: 2:00 p.m.
 Courtroom: Fourth Floor, No. 2

18 EDWARD O'BANNON, et al.,

19 Plaintiffs,

20 v.

21 NATIONAL COLLEGIATE ATHLETIC
 22 ASSOCIATION; COLLEGIATE
 LICENSING COMPANY; and
 23 ELECTRONIC ARTS INC.,

24 Defendants.

Case No. 09-cv-3329 CW

1 PLEASE TAKE NOTICE THAT, upon the Memorandum of Law in Support of Plaintiffs'
2 Motion for Preliminary Approval of Class Action Settlement, the Declarations of Michael D.
3 Hausfeld and Steve W. Berman, and all other papers and proceedings herein, Plaintiffs move this
4 Court, pursuant to Rule 23 of the Federal Rules of Civil Procedure, to enter an Order:

- 5 (1) preliminarily approving the Settlement Agreement between Plaintiffs and
6 Electronic Arts Inc. ("EA") with an Execution Date of May 15, 2014 (the
7 "EA Settlement Agreement"), on the grounds that its terms are sufficiently
8 fair, reasonable, and adequate for notice to be issued to the Settlement Classes as
9 defined in the EA Settlement Agreement (the "Settlement Classes");
10 (2) certifying the Settlement Classes for purposes of settlement only, pursuant to
11 Federal Rule of Civil Procedure 23(c), and authorizing Plaintiffs to represent the
12 Settlement Class;
13 (3) approving the form of notice and the notice plan; and
14 (4) appointing the following law firms as Class Counsel: Hausfeld LLP, Hagens
15 Berman Sobol Shapiro LLP, The McKenna Law Firm LLC, and Lum, Positan &
16 Drasco LLP; and
17 (5) granting such other and further relief as may be appropriate.

18 Oral argument on this motion, if any, will be held on July 3, 2014 at 2 p.m., before the
19 Honorable Claudia Wilken, United States District Judge, at the United States Courthouse, 1301
20 Clay Street, Oakland, California 94612.
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1 Dated: May 30, 2014

Respectfully submitted,

2 By: /s/ Leonard W. Aragon
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17 *Counsel for the Keller Right of Publicity*
18 *Plaintiffs*

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Plaintiffs

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CERTIFICATE OF SERVICE

I, Hilary K. Scherrer, declare that I am over the age of eighteen (18) and not a party to the entitled action. I am a partner in the law firm of HAUSFELD LLP, and my office is located at 1700 K Street NW, Suite 650, Washington, DC 20006.

On May 30, 2014, I caused to be filed the following:

- (1) PLAINTIFFS’ NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT;**
- (2) MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFFS’ MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT and EXHIBIT 1 thereto;**
- (3) DECLARATION OF MICHAEL D. HAUSFELD;**
- (4) DECLARATION OF STEVE W. BERMAN; and**
- (5) DECLARATION OF LEONARD W. ARAGON**

with the Clerk of Court using the Official Court Electronic Document Filing System, which served copies on all interested parties registered for electronic filing.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Hilary K. Scherrer
Hilary K. Scherrer