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11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION**

13 DAVID GARDNER, STEVE MATTERN, BRIAN
 14 CERRE, and WILLIAM SULLIVAN, individually
 and on behalf of all similarly situated current and
 former employees,

15 Plaintiffs,

16 v.

17 SHELL OIL COMPANY, SHELL OIL
 18 PRODUCTS COMPANY LLC, and EQUILON
 ENTERPRISES LLC dba SHELL OIL
 19 PRODUCTS US and DOES 1 through 20,
 inclusive,

20 Defendants.
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Case No. C 09-05876 CW (DMR)

Assigned to the Honorable Claudia Wilken

**ORDER RE CLASS CERTIFICATION
 NOTICE PLAN**

Action filed: November 17, 2009
 Trial date: September 12, 2011

1 After consideration of the joint proposed class certification notice plan filed by Plaintiffs, IT IS
2 HEREBY ORDERED that the following class certification notice plan shall be implemented, with a
3 correction made to paragraph 12 of the Class Notice, which refers to an address at paragraph 16 when
4 paragraph 16 provides no address:

5 The third-party administrator (“TPA”) chosen by Plaintiffs is Simpluris, Inc. The TPA will be
6 charged with preparing and sending the Class Notice to class members. Defendants have provided a list
7 of the names and last-known addresses of class members (“class list”) to Class Counsel. Class Counsel is
8 working with the USW to verify that the class list is accurate. If any inaccuracies in the class list are
9 discovered, Class Counsel will meet and confer with Defendants’ counsel and, if necessary, file a motion
10 with the Court. Once the class list is verified, Class Counsel will provide the class list to the TPA.

12 Deadline for Class Counsel to provide the class 13 list to the TPA, assuming no disagreement with 14 Defendants regarding the accuracy of the list (if 15 such disagreement does arise, the deadlines 16 contained herein shall be delayed while the parties 17 meet and confer and while any motion is pending 18 before the Court)	7 days after the date of entry of the Court’s Order regarding Plaintiffs’ proposed class certification notice plan
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19 Following receipt of the Class List, the TPA will prepare the Class Notice, a proposed draft of
20 which was attached as Exhibit A to the proposed class certification notice plan filed by Plaintiffs, for
21 mailing by First-Class U.S. mail to the class members’ last-known addresses.

22 Deadline for mailing Class Notices to class 23 members	7 days after Class Counsel receives the Class List from Defendants
24 Deadline for class members to mail requests for 25 exclusion (postmark deadline)	30 days after the postmark date of the Class Notice

26 **IT IS SO ORDERED.**

27
28 Dated: 5/25/2011


Honorable Claudia Wilken
U.S. District Judge