UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MARK NATHANSON, Individually and on Behalf of All Others Similarly Situated,

Plaintiff,

v.

POLYCOM, INC., *et al.*,

Defendants.

Case No.: 13-cv-03476 YGR

ORDER REQUIRING ADDITIONAL INFORMATION RE: UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT; CONTINUING HEARING

Re: Dkt. No. 102

On January 8, 2016 plaintiff Mark Nathanson ("Lead Plaintiff") filed an unopposed motion for preliminary approval of class action settlement. (Dkt. No. 102.) The Court has conducted an initial review of the motion and requires additional information prior to a hearing on the matter. Specifically, the Court requires further explanation and justification concerning the following:

1. the rationale underlying the plan of allocation of the settlement funds;
2. whether class members must independently complete the schedule of transactions on the proof of claim form or if the administrator will pre-fill the form; and
3. the reason litigation expenses are in the range of $200,000 when the parties have engaged in no discovery to date.

The Court also requests that Lead Plaintiff revise the proposed class notice (Dkt. No. 102-3) and proposed summary class notice (Dkt. No. 102-4) to provide more transparency and simplicity.[1] With respect to the proposed class notice, the first six pages thereof are especially cumbersome and

[1] The Court recommends that counsel for Lead Plaintiff review class notices previously approved by the undersigned, including those approved in *Bernardino v. Target Corp., Inc.*, Civil Case No. 12-cv-04639 (Dkt. No. 51-1) and *Maritime Asset Mgt., LLC v. Neurogesx, Inc.*, Civil Case No. 12-cv-05034-YGR (Dkt. No. 94-1).

must be revised to be more user-friendly for all class members. With respect to the proposed summary class notice, it must be revised to make clear that counsel will seek thirty (30) percent of the settlement amount.

Lead Plaintiff shall file the additional information as required herein, and revised class notice and summary class notice documents, no later than **February 16, 2016** at **noon**. The hearing currently set for February 16, 2016 is hereby **CONTINUED** to Tuesday **February 23, 2016** at **2:00 p.m.**

IT IS SO ORDERED.

Dated: February 9, 2016

YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
Northern District of California