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E-Filed 10/1/08

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

IN RE MCAFEE, INC. DERIVATIVE
LITIGATION,

Case Number C 06-3484 JF (PVT)
ORDER SETTING HEARING ON
OCTOBER 3, 2008

The Court has received and considered the stipulation of the settling parties filed September 25, 2008, the objections thereto filed September 26, 2008, and the response to objections filed September 29, 2008. As requested by the settling parties, the Court will set the motion for preliminary approval of settlement for hearing on October 3, 2008 at 9:00 a.m. At that time, the Court will consider whether preliminary approval of the settlement should be withheld or deferred so that the objectors may file further briefing, or whether the objectors' interests would be protected by their right to object to final approval of the settlement following issuance of a notice of preliminary approval.

1 IT IS SO ORDERED.

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DATED: 10/1/08



JEREMY FOGEL
United States District Judge

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