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

Juanita Swain,

NO. C 08-05562 JW

Plaintiff,

**ORDER RE: FINAL APPROVAL
HEARING**

v.

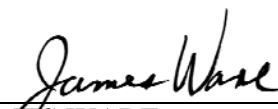
CACH, LLC, et al.,

Defendants.

This case is set for a hearing on September 27, 2010 at 9 a.m. for Final Approval of Class Settlement. On September 21, 2010, the parties filed their Motion for Final Approval of Settlement and Judgment; Award of Attorneys' Fees and supporting documents. (See Docket Item Nos. 100-106.) The Court finds that the parties' submissions are not complete for its evaluation of the Final Settlement. Accordingly, on or before **September 24, 2010 at 10 a.m.**, the parties shall file and lodge with the Court:

- (1) A signed copy of the revised Final Settlement Agreement;
- (2) Verification that the revised Notice was sent to Class Members, rather than the original version;
- (3) Verification that both Spanish and English versions of the Notice were mailed to Class Members;
- (4) Verification that the Motion for Award of Attorney's Fees comports with the Ninth Circuit's requirements for attorney fee applications under In re Mercury Interactive Secs. Litig., No. 08-17372, slip op. at 12202 (Aug. 18, 2010).

Dated: September 23, 2010



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Kathleen Mary Kushi Carter kcarter@hollins-law.com
3 Linda Luna lluna@hollins-law.com
4 Scott C. Maurer smaurer@scu.edu
5 Stephen Alter Scott sscott@hayesscott.com
6 William Eric Kennedy willkennedy@pacbell.net

7 **Dated: September 23, 2010**

Richard W. Wieking, Clerk

8 **By: /s/ JW Chambers**
9 **Elizabeth Garcia**
10 **Courtroom Deputy**

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