

E-Filed 04/16/2010

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

EK VATHANA, individually and on
behalf of all others similarly situated,

Case No. C 09-2338 RS

Plaintiff,

ORDER RE: CLASS NOTICE

v.

EVERBANK, a/k/a EVERBANK DIRECT,
a/k/a EVERBANK FEDERAL SAVINGS
ASSOCIATION; EVERBANK FINANCIAL
CORPORATION; EVERBANK WORLD
MARKETS; and DOES 1 to 25,

Defendants.

The Notice of Pendency of Class Action, which the parties have submitted for the Court's review, is hereby approved. The disputed Paragraph 12 will be included in the Notice with the final sentence omitted: "Any person, who lives within 100 miles of the San Francisco Federal Courthouse, whether they are a class member or not, could potentially be subpoenaed to appear for trial by either side."

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The parties are directed to finalize their preparations of the Notice in accordance with this ruling.

Dated: 04/16/2010



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE