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

Evangeline Red, et al.,

NO. C 10-00387 JW

Plaintiffs,

**ORDER SETTING HEARINGS ON
PRELIMINARY APPROVAL FOR CLASS
SETTLEMENT**

v.

Unilever PLC, et al.,

Defendants.

Presently before the Court is the Special Master's Report Number One. (Docket Item No. 134.)

On November 16, 2010, the Court denied the parties' Joint Motion for Preliminary Approval of Class Settlement. (hereafter, "November 16 Order," Docket Item No. 132.) In its November 16 Order, the Court expressed concern regarding, *inter alia*, the waiver of certain damages claims and need for opt-out in a Federal Rule of Civil Procedure 23(b)(2) injunctive class where the proposed class received no monetary relief. (November 16 Order at 1.) Accordingly, the Court referred the parties to a Special Master to negotiate a revised settlement to address the Court's concerns. (*Id.*) On December 16, 2010, the Special Master filed Report Number One, in which the Special Master outlined the terms of the parties' revised settlement and recommended setting new hearing dates. (Docket Item No. 134 at 2.)


Accordingly, the Court finds good cause to set a new schedule for the approval of the parties' revised settlement. The parties shall comply with the following schedule:

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- (1) On or before **February 18, 2011**, the parties shall submit their revised Joint Motion for Preliminary Approval of Class Settlement and Proposed Order.
- (2) The Court sets **March 7, 2011 at 9 a.m.** as the hearing date for the Preliminary Approval of Class Settlement.
- (3) The Court sets **June 20, 2011 at 9 a.m.** as the hearing date for the Final Approval of Class Settlement. In their Proposed Order for Preliminary Approval, the parties shall use this date as a bench mark for all other dates.
- (4) On or before **June 6, 2011**, the parties shall submit their Motion for Final Approval of Class Settlement and any accompanying Motions for Attorney Fees, and Proposed Final Judgment.

None of the dates set in this Order may be changed without an Order of the Court made after a motion is filed pursuant to the Civil Local Rules of Court.

Dated: December 20, 2010



JAMES WARE
United States District Judge

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

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8 William Lewis Stern wstern@mofo.com

6

7 **Dated: December 20, 2010**

Richard W. Wieking, Clerk

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By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy

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