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18 **UNITED STATES DISTRICT COURT**  
 19 **NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

20 MATTHEW BUCCELLATO, RICK  
 21 CORTES, RICHARD MALCONTENTO,  
 22 KENNETH CARLTON, and LOWELL  
 HILL, on behalf of themselves and classes  
 of those similarly situated,

23 Plaintiffs,

24 v.

25 AT&T OPERATIONS, INC.,

26 Defendant.

Case No. C10-00463-LHK

**[PROPOSED] ORDER GRANTING**  
**STIPULATION TO SUBSTITUTE**  
**NAMED PLAINTIFFS AND AMEND**  
**SETTLEMENT AGREEMENT,**  
**COMPLAINT, AND CLASS NOTICE**  
**ACCORDINGLY**


1 The Court having reviewed the parties' Stipulation To Substitute Named Plaintiffs And  
2 Amend Settlement Agreement, Complaint, And Class Notice Accordingly ("Stipulation") filed  
3 concurrently herewith, and it appearing to the Court that there is good cause to approve the  
4 Stipulation,

5 IT IS HEREBY ORDERED that:

- 6 1. The Stipulation is approved.
- 7 2. The Court approves Kevin Weigum and Mary Soto as representatives of the  
8 Colorado and North Carolina Classes, respectively. Plaintiffs Rick Cortes and Lowell Hill are no  
9 longer representatives of those Classes.
- 10 3. Plaintiffs' request for leave to file the Third Amended Complaint is granted.
- 11 4. The parties' request to delete the named Plaintiffs' names from the notice (with the  
12 exception of lead plaintiff Matthew Buccellato, whose name will be included in the notice) is  
13 granted.
- 14 5. The Court directs the parties and the Settlement Administrator to effectuate the  
15 Settlement, incorporating these modifications, in accordance with the Court's prior Order (1)  
16 Conditionally Certifying Settlement Class and Collective Action, (2) Granting Preliminary  
17 Approval to Proposed Class Action Settlement and Plan of Allocation (3) Directing  
18 Dissemination of Notice to the Class, and (4) Setting Date for Fairness Hearing and Related  
19 Dates, Docket No. 54.

20 IT IS SO ORDERED.

21  
22 Dated: March 28, 2011



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The Honorable Lucy H. Koh  
United States District Judge