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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

JERRY SMIT, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

CHARLES SCHWAB & CO., INC.,
SCHWAB INVESTMENTS and, CHARLES
SCHWAB INVESTMENT MANAGEMENT,
INC.,

Defendants.

Case No.: 10-cv-3971 LHK

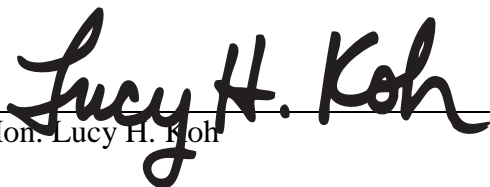
~~PROPOSED~~ FINAL JUDGMENT

WHEREAS, on April 19, 2011, the Court dismissed this case with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED THAT

1. Judgment shall be and is hereby entered against Jerry Smit and in favor of Charles Schwab & Co, Inc., Schwab Investments, and Charles Schwab Investment Management, Inc.
2. The parties shall bear their own costs.

Dated: _____ April 21 __, 2011



The Hon. Lucy H. Koh