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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JAMES SYRAN, on behalf of himself and those
similarly situated ,

Plaintiff,

v.

LEXISNEXIS GROUP, REED ELSEVIER INC.,
and SEISINT, INC.,

Defendants.

MARK WITRIOL, on behalf of himself and
those similarly situated,

Plaintiff,

v.

LEXISNEXIS GROUP, REED ELSEVIER,
INC., and SEISINT, INC.,

Defendants.

Civil No. 05cv0909 - CAB;
06cv2360 - CAB

**ORDER DENYING CLASS MEMBER
MICHAEL COHEN'S REQUEST TO
RESCIND THE SETTLEMENT
AGREEMENT**

**[Doc. No. 144 in Case No. 05cv0909;
Doc. No. 161 in Case No. 06cv2360]**

Before the Court is a request from class member Michael Cohen for an order rescinding the Settlement Agreement in this class action, or alternatively to order the parties to a *de novo* arbitration of his amended claim on modified terms. Defendants submitted an objection to Mr. Cohen's request. Having considered the submissions, Mr. Cohen's request is denied as untimely objections to the terms of the settlement. The settlement with the claim form containing the terms to which Mr. Cohen objects,

1 was received by Mr. Cohen on or about July 14, 2008. Objections to the settlement terms had to be filed
2 by August 15, 2008. Mr. Cohen did not submit any objections or opt out of the settlement. The Court
3 granted final approval of the settlement on September 30, 2008. Mr. Cohen submitted his request to the
4 Court on August 3, 2009, long after the objection period expired. His request to rescind the settlement
5 in it entirety or modify the terms of the settlement's arbitration process is **DENIED**.

6 **IT IS SO ORDERED.**

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8 DATED: October 28, 2009

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11 **CATHY ANN BENCIVENGO**
12 United States Magistrate Judge
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