

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID DATE, JR.,

Plaintiff,

Case Number 07-15474

v.

JUDGE PAUL D. BORMAN
UNITED STATES DISTRICT COURT

SONY ELECTRONICS, INC. and ABC
APPLIANCE, INC d/b/a ABC WAREHOUSE,
Defendants.



**[PROPOSED] ORDER ALLOWING SETTLEMENT
CLASS MEMBER ELIOTT HANDLER TO PROCEED**

WHEREAS, on July 25, 2008, this Court entered an ORDER in this matter which provided as follows:

Pending final approval of the proposed settlement, no member of the Settlement Class, either individually, derivatively, in a representative capacity, or in any other capacity, shall commence any action, or proceed with any action currently pending, in any court or tribunal against any of the Released Parties, as that term is defined in Section 6.0 of the Settlement Agreement, asserting any of the claims waived or released under the terms of the Settlement Agreement.

WHEREAS, notwithstanding that ORDER, Released Party SONY ELECTRONICS, INC. has moved for summary judgment against Settlement Class member ELIOTT HANDLER in the United States District Court for the Central District of California in an action asserting claims waived or released under the terms of the Settlement Agreement;

WHEREAS, no decision on final approval has been rendered by this Court as of this date;

NOW THEREFORE Settlement Class member ELIOTT HANDLER MAY PROCEED with his action currently pending against SONY ELECTRONICS, INC. in the United States District Court for the Central District of California.

SO ORDERED.



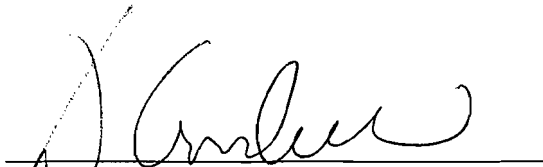
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: 1-5-09

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on

1-5-09


Case Manager