

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 05-1070 DOC (MLGx)

Date: September 21, 2009

Title: WHITE ET AL.V. EXPERIAN INFORMATION SYSTEMS, INC.

DOCKET ENTRY

[I hereby certify that this document was served by first class mail or Government messenger service, postage prepaid, to all counsel (or parties) at their respective most recent address of record in this action on this date.]

Date: _____ Deputy Clerk: _____

PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Kristee Hopkins

Courtroom Clerk

Not Present

Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS:

NONE PRESENT

NONE PRESENT

PROCEEDING (IN CHAMBERS): GRANTING SETTLING PLAINTIFFS' AND DEFENDANTS' JOINT EX PARTE APPLICATION TO AMEND THE COURT'S MAY 7, 2009 ORDER AND EXTENDING FINAL APPROVAL HEARING AND RELATED DATES

Before the Court is Settling Plaintiffs' and Defendants' Joint *Ex Parte* Application to Amend the Court's May 7, 2009 Order (1) Granting Preliminary Approval to Proposed Calss Action Settlement; (2) Conditionally Certifying Settlement Class; (3) Approving Class Notice; (4) Appointing Class Counsel; and (5) Scheduling Final Approval Hearing and Related Dates.

Settling Plaintiffs and Defendants have requested an extension of the Final Approval Hearing and related dates because there has been an unavoidable delay by the Settlement Administrator in compiling a single class list. The May 7, 2009 Order by this Court set August 31, 2009 as the date by with Mail Notice should be sent to each identified 23(b)(3) Settlement Class Member, and the parties now estimate that they will not be able to send the Mail Notice until September 28, 2009. Therefore, they request that all dates following the Mail Notice date also be pushed back.

The White Plaintiffs object only to the date of December 14, 2009 for the Final Fairness Hearing, for which they cannot be available.

The Court grants the *Ex Parte* Application to amend the Final Fairness Hearing and Related Dates but, as the parties were not able to stipulate to dates acceptable to all, modifies the proposed dates. It is hereby ORDERED as follows:

1. The Settlement Administrator shall cause the Mail Notice to be sent to each identified 23(b)(3) Settlement Class Member by September 28, 2009, and shall establish an Internet web site no later than five days prior to the mailing of the Mail Notice. Between September 28, 2009 and October 28, 2009, the Settlement Administrator shall cause the Publication Notice to be published.
2. The deadline for a class member to submit a claim, opt out, or object to the Settlement shall be November 30, 2009.
3. All responses to objections shall be filed by January 4, 2010.
4. Any counsel for plaintiffs who wish to apply for an award of fees and costs for efforts made in connection with the Injunctive Relief Settlement must do so on or before December 21, 2009.
4. A Final Fairness Hearing shall be set for January 11, 2010 at 8:30 a.m.

The Clerk shall serve this minute order on all parties to the action.