

ENDORSED
FILED
San Francisco County Superior Court

MAR 30 2010

CLERK OF THE COURT
BY: CLYD BANAAS
Deputy Clerk

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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SAN FRANCISCO

11 MOHAMMAD KASHMIRI, *et al.*, individually)
and on behalf of a class of similarly situated)
12 persons,)
13 Plaintiffs,)
14 v.)
15 THE REGENTS OF THE UNIVERSITY OF)
CALIFORNIA,)
16 Defendant.)
17

Case No. CGC-03-422747

~~SECOND UPDATED PROPOSED~~
ORDER REGARDING
AMENDMENT OF FINAL PLAN OF
DISTRIBUTION OF JUDGMENT
AND PAYMENT OF
SUPPLEMENTAL ATTORNEYS'
FEES AND EXPENSES

Date: March 30, 2010
Time: 1:30 p.m.
Dept.: 204
Judge: Hon. Mary E. Wiss

Action Filed: July 24, 2003

Unlimited Civil Case

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1 Upon consideration of (1) Plaintiffs' Second Report Regarding Distribution of Judgment and
2 Proposal to Amend Final Plan of Distribution of Judgment and (2) Plaintiffs' Motion for
3 Supplemental Common Fund Attorneys' Fees and Expenses, the Court finds that good cause exists
4 to AMEND the Order Amending Final Plan of Distribution of Judgment, as amended, and to
5 GRANT Plaintiffs' Motion for Supplemental Fees and Expenses, as follows:

6 1. The Class Action Administrator shall issue the following payments:

7 A. \$9,999.89, \$6,885.22, \$5,183.23, \$4,791.98, \$4,054.00, \$3,985.60, \$2,784.88,
8 \$321.17, \$268.15, \$228.93, \$200.13, and \$200.13 to the twelve class members who have contacted
9 the Administrator since December 31, 2009, regarding the need to reissue their initial awards;

10 B. \$200.13 apiece to the two Spring 2003 Subclass members who did not receive
11 distributions but have demonstrated that the grant aid they received that semester came from a source
12 unrelated to the grant increase;

13 C. \$31,963.84 to Brown, Goldstein & Levy, LLP, to be deposited into escrow and
14 used, together with the \$22,036.16 already in escrow, to pay the expenses of the second distribution
15 as follows: \$53,000 to Rust Consulting, Inc., and \$1,000.00 to The Casey Group, Ltd.; and

16 D. \$185,000.00 to Brown, Goldstein & Levy, LLP, as supplemental common fund
17 attorneys' fees for its efforts over and above those anticipated in the Court's initial award of common
18 fund fees.

19 2. The Class Action Administrator shall set aside \$20,000 to be available to pay
20 additional class members who have not received their damages payment and who contact the
21 Administrator prior to October 1, 2010, to claim their share of the damages award. Shortly after
22 October 1, 2010, if class members with claims totaling \$20,000 or less have contacted the
23 Administrator, it shall pay all of those claims and pay any remainder amount to the cy pres
24 beneficiaries. Shortly after October 1, 2010, if class members with claims totaling more than
25 \$20,000 have contacted the Administrator, it shall pay each of them their pro rata share of the
26 \$20,000.

27 3. The Class Action Administrator shall distribute the balance of the judgment (a total of
28 \$921,695.08, including accrued interest) as a second distribution to class members who negotiated

1 their initial distribution, in proportion to their respective shares of the initial distribution, with no
2 second distribution to class members whose share would be less than \$5.00.

3 4. In all other respects, the Order Regarding Distribution and the Orders Amending Final
4 Plan of Distribution of Judgment shall remain in effect.

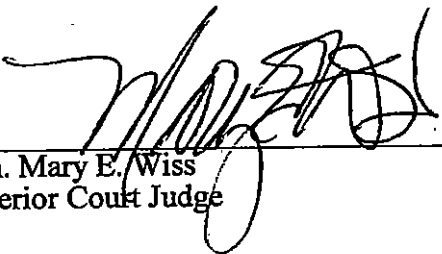
5 5. On or before November 1, 2010, plaintiffs' counsel shall submit a report regarding
6 the second distribution and proposal regarding the cy pres distribution of any remaining amount

7 IT IS SO ORDERED.

8

9 March 30, 2010

10 Date



Hon. Mary E. Wiss
Superior Court Judge

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