

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

EVELYN CARTER, *et al.*,

Plaintiffs,

v.

WELLS FARGO ADVISORS, LLC, *et al.*,

Defendants.

Civil Action No. 09-01752 (CKK)

PRELIMINARY APPROVAL ORDER

(January 25, 2011)

Upon consideration of the [32] Joint Motion for Preliminary Approval of Class Action Settlement (“Motion for Preliminary Approval”), and the separate supporting memoranda and materials filed by the parties, including the proposed [35-1] Settlement Agreement, it is, this 25th day of January, 2011 hereby

ORDERED that the [32] Motion for Preliminary Approval is GRANTED.

The Court further makes the following findings and rulings:

1. **Jurisdiction.** This Court has jurisdiction over the subject matter of the litigation and over all parties to this litigation, including all members of the Settlement Class as defined below.
2. **No Determination.** This Court hereby decrees that neither the Settlement Agreement, nor this preliminary approval order, nor the fact of a settlement, are an admission or concession by the Defendants of any liability or wrongdoing whatsoever.
3. **Proposed Settlement.** The Court finds preliminarily that the parties’ proposed

Settlement Agreement is fair, adequate and reasonable, and, therefore, warrants submission to members of the Settlement Class for their consideration and a formal fairness hearing under Fed. R. Civ. P. 23(e).

4. **Settlement Class Certification.** The Court provisionally finds that the requirements of Fed. R. Civ. P. 23(a) have been satisfied, and that the class-wide claims may be certified pursuant to Fed. R. Civ. P. 23(b)(2) and 23(b)(3). The Settlement Class shall consist of:

All women who are or were employed in the United States as Financial Advisors by: (a) Wachovia Securities, LLC, or its successor Wells Fargo Advisors, LLC, at any time between March 17, 2003 and the date of Preliminary Approval; and/or (b) Wells Fargo Investments, LLC at any time between December 31, 2008 and the date of Preliminary Approval. Women who were employed as Financial Advisors by Prudential Securities Inc. or A.G. Edwards & Sons, Inc. are included only as of the effective date of the respective business consolidation or merger of these corporations with Wachovia Securities/Wachovia Corporation.

This Court's certification of the Settlement Class is provisional pending final approval of the Settlement. If the Settlement is not approved, this certification will be null and void.

5. **Appointment of Class Representatives and Class Counsel.** The Court finds that Plaintiffs and their counsel are adequate representatives of the Settlement Class. Accordingly, the Court appoints Evelyn Carter, Michelle Phillips, and Eileen Wasserman as Class Representatives, and Cyrus Mehri, Steven Skalet, and Ellen Eardley of Mehri & Skalet, PLLC; Steven M. Sprenger, Mara R. Thompson

and Eden Brown Gaines of Sprenger + Lang, PLLC; and Chris Moody and Whitney Warner of Moody & Warner, P.C., as Class Counsel. The Court further designates Cyrus Mehri and Steven M. Sprenger to serve as Lead Class Counsel.

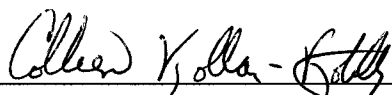
6. **Claims Administrator.** The Court appoints Tommy Warren, Esq. of Settlement Services, Inc. to serve as the Claims Administrator, whose duties are set forth in Sections IV. and IX. of the Settlement Agreement.
7. **Notice and Claim Form.** The [35-2] Amended Notice of Class Action, Proposed Settlement Agreement and Settlement Hearing (“Amended Notice”) and [32-8] Claim Form are hereby approved as reasonable and are adopted and incorporated herein. The parties are directed to serve the Amended Notice and Claim Form on class members as set forth in the Sections IV. and IX. of the Settlement Agreement.
8. **Requests for Exclusion.** The Amended Notice sets forth the procedures pursuant to which members of the Settlement Class may exclude themselves (“opt-out”) from the monetary benefits of the Settlement Agreement. The deadline for Class Members to serve any request for exclusion shall be **Thursday, March 31, 2011.**
9. **Objections to the Proposed Settlement.** The Amended Notice sets forth the procedures pursuant to which members of the Settlement Class may object to the terms of the Settlement Agreement by notifying Co-Lead Class Counsel, Cyrus Mehri, as described in the Amended Notice. The deadline for Class Members to serve any objection to the proposed Settlement shall be **Thursday, March 31, 2011.** The deadline for Class Counsel to file with the Court the objections

received shall be **Friday, April 15, 2011**.

10. **Claim Forms/Participation in the Proposed Settlement.** The Amended Notice sets forth procedures pursuant to which members of the Settlement Class may participate in the monetary portion of the proposed Settlement Agreement. The postmark deadline for Class Members to submit a Claim Form shall be **Monday, April 25, 2011**.
11. **Motion for Final Approval.** The deadline for the parties to file motions for final approval of their proposed class action settlement and to address any objections to the Settlement, including Class Counsel's motion for an award of attorneys' fees and non-taxable costs, shall be **Monday, May 2, 2011**.
12. **Settlement Hearing.** A hearing shall be held in Courtroom 28A, United States Courthouse, 333 Constitution Ave., N.W., Washington, D.C., on **Wednesday, June 8, 2011, at 1:30 p.m.**, to consider motions for final approval of the proposed Settlement and Class Counsel's motion for an award of attorneys' fees and costs ("Settlement Hearing"). The procedures for members of the Settlement Class to object to the Settlement and to appear at the Settlement Hearing are set forth in the Amended Notice.
13. **Confidentiality.** The Court hereby enjoins disclosure to third parties of the documents and information discussed or exchanged during the parties' confidential settlement negotiations and mediation to any third party not specified in the parties' confidentiality agreements.
14. **Other Cases Enjoined.** The Court hereby preliminarily enjoins: (a) each member

of the Settlement Class from commencing, prosecuting, or maintaining any claim which is subsumed within the proposed Settlement Agreement unless and until such time as the Class Member makes an irrevocable election to exclude herself from the Settlement Class; and (b) each member of the Settlement Class, including any member who makes an irrevocable election to exclude herself from the Settlement Class, from commencing, prosecuting or maintaining in any court other than this Court any claim, action or other proceeding that challenges or seeks review of or relief from any order, judgment, act, decision or ruling of this Court in connection with the Settlement Agreement.

SO ORDERED.



COLLEEN KOLLAR-KOTELLY
United States District Judge