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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

ROBERT J. SERAPHIN, on behalf of himself
and all others similarly situated,

Plaintiff,

vs.

SBC INTERNET SERVICES, INC., d/b/a
AT&T INTERNET SERVICES, INC., and
YAHOO! INC., a Delaware Corporation,

Defendants.

Case No. 1:09-cv-00131-REB

CLASS ACTION

**PLAINTIFF'S UNOPPOSED
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Plaintiff, Robert J. Seraphin, respectfully moves this Court to enter an order granting Plaintiff's Unopposed Motion for Approval of Class Action Settlement. Plaintiff respectfully requests that the order be entered without oral argument.

This motion is made pursuant to the Court's discretionary authority under the Federal Rules of Civil Procedure and is supported by the Memorandum of Points and Authorities in Support of Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement

and for Approval of Attorneys' Fees and Reimbursements of Costs. Plaintiff respectfully requests that this motion be decided without oral argument.

DATED: February 22, 2011

TERRELL MARSHALL & DAUDT, PLLC

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CERTIFICATE OF SERVICE

I, Beth E. Terrell, hereby certify that on February 22, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED: February 22, 2011

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