

**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)

**ORDER GRANTING THE PARTIES' JOINT MOTION FOR
CONSENT ORDER REGARDING SUPPLEMENTAL NOTICE TO THE CLASS
(March 15, 2011)**

Upon consideration of the parties' [43] Joint Motion for Consent Order Regarding Supplemental Notice to the Class, and supporting memoranda and materials filed by the parties, it is, this 15th day of March, 2011 hereby ordered that the Motion is **GRANTED**.

The Court further makes the following findings and rulings:

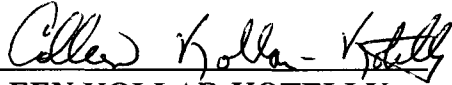
1. **Additional Notice and Claim Form.** The revised [43-3] Notice of Class Action, Proposed Settlement Agreement and Settlement Hearing ("Revised Notice"), which contains a description of the size of the Class, and the [43-5] Claim Form are hereby approved as reasonable. The Revised Notice and Claim Form are adopted and incorporated herein. The Revised Notice will be sent to the entire Class via U.S. Mail, including Class Members who received the initial mailing sent on February 14, 2011 and Class Members who erroneously were excluded from the initial February 14, 2011 mailing. The parties are directed to send the Claim Form to Class Members who were excluded from the initial mailing.

2. **Insert.** The [43-4] insert for Class Members who were included in the first mailing of notice is hereby approved as reasonable and adopted and incorporated herein. The insert explains to these Class Members that important deadlines have changed and provides direction to Class Members who have already submitted claim forms, requests for exclusion or objections. The parties are directed to send the insert in the same mailing as the Revised Notice to Class Members who were mailed the initial notice.
3. **Requests for Exclusion.** The Revised 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 all Class Members to serve any request for exclusion shall be May 5, 2011.
4. **Objections to the Proposed Settlement.** The Revised Notice sets forth the procedures pursuant to which Class Members may object to the terms of the Settlement Agreement. The deadline for Class Members to serve any objection to the proposed Settlement shall be May 5, 2011. The deadline for Co-Lead Class Counsel Cyrus Mehri to file the objections with the Court shall be May 20, 2011.
5. **Claim Forms/Participation in the Proposed Settlement.** The Revised Notice sets forth procedures pursuant to which Class Members may participate in the monetary portion of the proposed Settlement Agreement. The postmark deadline for Class Members to submit a Claim Form shall be June 20, 2011. Class Members who already have submitted Claim Forms pursuant to the initial notice shall not be required to resubmit a Claim Form.

6. **Individuals Who Erroneously Received Notice.** Individuals who do not meet the definition of the Settlement Class, but who erroneously were mailed the Notice and Claim Form on February 14, 2011 will receive a letter from the Claims Administrator explaining the error and that they are not eligible to participate in the Settlement.
7. **Additional Deadlines.** The deadline for Defendants to exercise its potential option to withdraw from the settlement based on the number of Class Members who exclude themselves from the proposed Settlement shall be May 20, 2011.
8. **Costs of Claims Administrator.** The Court approves Defendants' offer to pay all costs of the Claims Administrator for the class action settlement, including the costs associated with the additional mailings. Class Counsel shall continue to oversee the work of the Claims Administrator and review and approve the Claims Administrator's bills.
9. **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 May 25, 2011.
10. **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 Revised Notice.

SO ORDERED.



COLLEEN KOLLAR-KOTELLY
United States District Judge