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8 Class Counsel

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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12
13 RYAN RODRIGUEZ, REENA B.
14 FRAILICH, LOREDANA NESCI,
15 JENNIFER BRAZEAL and LISA
16 GINTZ, on behalf of themselves and all
17 others similarly situated,

18 Plaintiffs,

19 vs.

20 WEST PUBLISHING CORPORATION,
21 a Minnesota Corporation dba BAR/BRI
22 and KAPLAN, Inc., a Delaware
23 Corporation.

24 Defendants.

25 **AND CONSOLIDATED ACTION**
26
27
28

Case No. CV 05-3222 R(MCx)

**SETTLING CLASS PLAINTIFFS'
NOTICE OF MOTION AND
MOTION FOR DISTRIBUTION OF
THE NET SETTLEMENT FUND
UPON THE OCCURRENCE OF THE
EFFECTIVE DATE AND FOR
APPROVAL AND DISTRIBUTION
OF ATTORNEYS' FEES AND
EXPENSES**

Date: November 2, 2009
Time: 10:00 a.m.
Place: Courtroom 8

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on November 2, 2009 at 10:00 a.m. or at a
3 time subject to the Court's calendar, before the Honorable Manuel L. Real, United
4 States District Court, Central District of California, located at 312 N. Spring St.,
5 Los Angeles, California 90012, Settling Class Plaintiffs Reena B. Frailich, Jennifer
6 Brazil, Kari Brewer and Lorraine Rimson, on behalf of themselves and on behalf
7 of the Class certified by the Court, will and hereby do move for an order: (1)
8 authorizing distribution of the Net Settlement Fund created by the Stipulation and
9 Settlement Agreement which was finally approved on September 10, 2007 by this
10 Court and affirmed by the Ninth Circuit in *Rodriguez v. West Publishing Corp.*,
11 563 F.3d 948 (9th Cir. 2009); (2) reaffirming this Court's prior Order granting
12 Class Counsel attorneys' fees and expenses; and (3) authorizing disbursement of
13 attorneys' fees and expenses. This motion is based upon this Notice of Motion and
14 Motion, the accompanying Memorandum of Points and Authorities, the
15 Declaration of Sidney K. Kanazawa, the Declaration of Eric J. Miller, the Requests
16 By Claimants for Court Review of Claims Determinations, the [Proposed] Order
17 Granting Motion for Distribution of the Net Settlement Fund Upon Occurrence of
18 the Effective Date and for Approval and Distribution of Attorneys' Fees and
19 Expenses, the complete files and records in this action, and such other written or
20 oral arguments presented to the Court.

21 DATE: October 9, 2009

Respectfully submitted,

22 **McGUIREWOODS LLP**

23 /s/ Sidney K. Kanazawa

24 Sidney K. Kanazawa

25 Darrel C. Menthe

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