

1 Bruce L. Simon (SBN 96241)
PEARSON, SIMON, SOTER, WARSHAW & PENNY LLP
2 44 Montgomery Street, Suite 1430
San Francisco, CA 94104
3 Telephone: (415) 433-9000
Facsimile: (415) 433-9008
4 Email: bsimon@psswplaw.com

5 Geoffrey Spellberg (SBN 121079)
MEYERS, NAVE, RIBACK, SILVER & WILSON
6 575 Market Street, Suite 2600
San Francisco, CA 94105
7 Telephone: (415) 421-3711
Facsimile: (415) 421-3767
8 Email: gspellberg@meyersnave.com

9 *Settlement Class Counsel and Counsel for Plaintiff*
Mike Mertaban, Dennis Warner, Charles Cleves, and Liz Hart

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

ANDRÉ FLEURY, d/b/a SWISS WATCH
CO., MIKE MERTABAN, d/b/a WATCH
EXPERTS, DENNIS WARNER, and
CHARLES CLEVES, on behalf of
themselves and all other similarly situated
watchmakers, and LIZ HART, on behalf of
herself and all others similarly situated
consumers,

Plaintiffs,

vs.

RICHEMONT NORTH AMERICA, INC.,

Defendant.

Case No. C05-04525 EMC

**STIPULATION AND [PROPOSED]
ORDER RE SETTLEMENT OF
OBJECTOR MARY MEYER'S
APPEALS**

1 WHEREAS on July 3, 2008, this Court granted final approval of the class
2 settlement reached in this case;

3 WHEREAS on July 23, 2008, objector Mary Meyer filed a Notice of Appeal of the
4 Court's final approval order;

5 WHEREAS on August 6, 2008, this Court issued an order on Settlement Class
6 Counsel's motion for attorneys' fees;

7 WHEREAS on August 13, 2008, Meyer filed a Notice of Appeal of the Court's
8 attorneys' fee order;

9 WHEREAS on October 21, 2008, this Court issued an order requiring Meyer to
10 post a \$5,000 appeal bond, and Meyer has satisfied the bond requirement;

11 WHEREAS on November 13, 2008, the Ninth Circuit Court of Appeals
12 consolidated Meyer's two appeals;

13 WHEREAS the settlement benefits cannot be distributed to class members until
14 resolution of all appeals;

15 WHEREAS the parties expect that resolution of Meyer's appeals through the
16 appellate process will take several months and possibly years;

17 WHEREAS Meyer's appeals were referred to the Ninth Circuit's Mediation
18 Program, and the parties have engaged in discussions with Circuit Mediator Ann Julius,
19 Esq.;

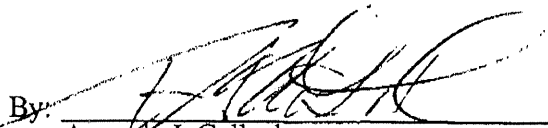
20 WHEREAS the parties have reached a settlement agreement that, if approved, will
21 resolve all pending appeals and allow the distribution of settlement benefits to class
22 members without the delay of continued litigation;

23 WHEREAS the proposed settlement of the appeals does not diminish the benefits of
24 the underlying class settlement to class members;

25 IT IS HEREBY STIPULATED by class representative Mike Mertaban, class
26 representative Dennis Warner, class representative Charles Cleves, class representative Liz
27 Hart, defendant Richemont North America, Inc., and objector Mary Meyer, by and through
28 their undersigned counsel, that the following settlement terms be approved:

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Dated: December 4, 2008

By: 

Amanda J. Gallagher
Thomas A. McGrath III
LINKLATERS LLP
1345 Avenue of the Americas
New York, NY 10105

Dirk M. Schenkkan
Jerome B. Falk, Jr.
HOWARD RICE NEMEROVSKI CANADY
FALK & RABIN
THREE Embarcadero Center, 7th Floor
San Francisco, CA 94111-4024

Edward N. Moss
DAVIS POLK & WARDWELL
450 Lexington Avenue
New York, NY 10017

Counsel for Defendant Richemont North America, Inc.

Dated: December 4, 2008

By: 

Frank Liuzzi
LIUZZI, MURPHY & SOLOMON, LLP
101 Montgomery Street, 27th Floor
San Francisco, CA 94104

Christopher A. Bandas
BANDAS LAW FIRM, P.C.
500 North Shoreline, Suite 1020
Corpus Christi, TX 78471

Counsel for Objector / Appellant Mary Meyer

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~~[PROPOSED]~~ ORDER

Good cause appearing, the settlement of objector Mary Meyer's appeals is hereby approved.

SO ORDERED.

DATED: December 8, 2008

