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

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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

**[PROPOSED] ORDER AWARDING  
ATTORNEYS' FEES, LITIGATION  
EXPENSES, AND CLASS  
REPRESENTATIVE INCENTIVE  
AWARDS**

1 The Court, after notice to the Settlement Class, held a hearing on May 7, 2008 for  
2 purposes of determining whether the attorneys' fees to, and expenses of, Settlement Class  
3 Counsel set forth in their application, as limited by the Amended Stipulation of Settlement,  
4 should be approved.

5 The Court, having heard all persons properly appearing and requesting to be heard;  
6 having considered the papers submitted in support of the proposed settlement and the oral  
7 presentations of counsel; having considered all applicable law; and having considered any  
8 objections made properly to the proposed settlement; finds that the fee application  
9 submitted by Settlement Class Counsel is fair and reasonable.

10 IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

11 1. The Court approves the payment of attorneys' fees, costs, expenses, or other  
12 payments to a Settlement Fee Fund in the amount of Two Million Dollars (\$2,000,000).  
13 The Attorneys' Fee Award will be paid in accordance with the terms of the Amended  
14 Settlement Agreement and upon payment to this Fund, Defendant shall be discharged from  
15 any further duty to pay attorneys' fees, costs, expenses, or any other amount not required  
16 by the Amended Settlement Agreement. The Attorneys' Fee Award shall be paid to the  
17 Settlement Fee Fund no later than thirty (30) calendar days after the Effective Date (as  
18 defined in Paragraph 1.4 of the Amended Stipulation of Settlement). The Settlement  
19 Administrator shall immediately distribute the Attorneys' Fee Award to Settlement Class  
20 Counsel as they direct. The Court further approves payment by Settlement Class Counsel  
21 of an incentive award to Liz Hart and Mike Mertaban in the amount of \$5,000 each.

22 SO ORDERED.

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24 Date: \_\_\_\_\_, 2008

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Honorable Edward M. Chen  
United States Magistrate Judge

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