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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Stacy James, et al.,

NO. C 05-04532 JW

Plaintiffs,

**ORDER APPOINTING SPECIAL  
MASTER**

v.

Ignatius A. Piazza, et al.,

Defendants.

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On March 19, 2007, the Court conducted a hearing regarding final approval of settlement in this action. Based on discussions at the hearing, the Court found, and the parties agreed, that a Special Master should be appointed to assist the Court with its assessment of the proposed settlement. Accordingly, the Court notifies the parties of its appointment of George C. Fisher, 2600 El Camino Real, Suite 410, Palo Alto, California 94306, (650) 424-0821, as a Special Master.

**A. Scope of Appointment**

- 1) Mr. Fisher will advise the Court with respect to the pending proposed settlement between the parties.
- 2) Irrespective of the settlement, Mr. Fisher shall also advise the Court regarding the financial status of the property and the nature and extent of all memberships which affect the financial status of the property.
- 3) Mr. Fisher will prepare a report and recommendation to the Court summarizing the terms of any proposed settlement, with attention to: a) the consideration offered to the class for its release of claims, b) the security provided to ensure fulfillment of any

ongoing obligations, and c) whether differences between the current settlement and the version preliminarily approved by the Court require re-notification of the class, along with any other issues that Mr. Fisher believes should be brought to the Court's attention. The Court will conduct a follow up meeting with the Special Master upon receipt of the report.

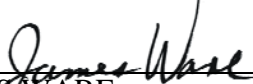
**B. Fees**

The parties are directed to pay the reasonable fees charged by Mr. Fisher for his service as a Special Master to the Court in this case. Unless otherwise ordered by the Court, fees shall be distributed equally between the parties. All matters pertaining to the fees of Mr. Fisher are referred to the assigned Magistrate Judge.

**C. Schedule**

- 1) The parties shall contact Mr. Fisher within ten (10) days from the date of this Order to set a meet and confer date.
- 2) Mr. Fisher shall lodge his report with the Court within forty-five (45) days from the date of this Order.
- 3) To complete the appointment, Mr. Fisher shall file the affidavit required by FEDERAL RULE OF CIVIL PROCEDURE 53(b)(3) within five (5) days of this Order.

Dated: March 21, 2007

  
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 JAMES WARE  
 United States District Judge

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1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

- 2 Christopher Clyde Walton [chris.walton@greerlaw.biz](mailto:chris.walton@greerlaw.biz)
- 3 Curtis Keith Greer [greerkeith@aol.com](mailto:greerkeith@aol.com)
- 4 J. Mark Thacker [jthacker@ropers.com](mailto:jthacker@ropers.com)
- 5 Richard M. Williams [rwilliams@ropers.com](mailto:rwilliams@ropers.com)
- 6 Steven John Roberts [steve.roberts@greerlaw.biz](mailto:steve.roberts@greerlaw.biz)

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7 **Dated: March 21, 2007**

**Richard W. Wieking, Clerk**

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By:           /s/ JW Chambers            
**Elizabeth Garcia**  
**Courtroom Deputy**

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