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**Superior Court of California, County of Alameda
Rene C. Davidson Alameda County Courthouse**

Mattingly <p style="text-align: right;">Plaintiff/Petitioner(s)</p> <p style="text-align: center;">VS.</p> Visa U.S.A. Inc	No. <u>RG05198142</u> Stipulation and Order Re: Other Exparte Denied
Defendant/Respondent(s) (Abbreviated Title)	

IT IS ORDERED that the Parties' Stipulation and Order Re: Other Exparte is denied without prejudice to the parties submitting a stay order in the future. A stay of these proceedings is unnecessary in light of the upcoming hearing for preliminary approval on 9/11/2006 in U.S. District Court for the Southern District of New York. (See Plaintiffs' counsel's letter to the court dated 8/18/2006). The parties have already stipulated to stay all discovery in this action pending the outcome of the hearing. The proposed order is denied also because this case was filed as a putative class action. Therefore, the Plaintiffs may not settle or dismiss their claims without this Court's approval in accordance with the requirements of CRC 1859 and 1860.

The Case Management Conference for 8/25/2006 is vacated and continued to 12/1/2006 at 2:00 p.m. in Department 18. If final approval of the proposed settlement has not been granted, the CMC will continue. The parties are ordered to advise this Court of any developments affecting the processing of this litigation after the hearing on 9/11/2006 or at any time prior to the CMC on 12/1/2006.

Dated: 08/23/2006



Judge Cecilia P. Castellanos

SHORT TITLE: Mattingly VS Visa U.S.A. Inc	CASE NUMBER: RG05198142
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