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SUPERIOR COURT OF CALIFORNIA
COUNTY OF ALAMEDA

DAVID SHRIEVE, et al., On Behalf of
Themselves and All Others Similarly Situated,
and On Behalf of the General Public,

Plaintiffs,

v.

VISA U.S.A. INC., et al.,

Defendants.

) Case No.: RG04155097

) UNLIMITED JURISDICTION

) **[PROPOSED] ORDER RE**
) **STAYING ACTION PENDING**
) **FINAL APPROVAL**

) Trial Date: None Set

1 ability, if any, to oppose or challenge any claim of arbitration rights on any grounds other
2 than any claim of waiver relating to certification of the Settlement Classes or any other act
3 relating to the negotiation, execution or implementation of the MDL Settlement Agreement;

4 If Final Settlement Approval does not occur or if the MDL Settlement Agreement
5 terminates prior to Final Settlement Approval, pursuant to Code Civ. Proc. § 583.330 this
6 action may be set for trial and tried after the time period set forth in Code Civ. Proc.
7 § 583.310.

8 If Final Settlement Approval does not occur or if the MDL Settlement Agreement
9 terminates prior to Final Settlement Approval, the discovery cut-off date and motion cut-off
10 date will be extended to dates that allow reasonable time for completion of discovery and
11 motion practice.

12 If Final Settlement Approval does not occur or if the MDL Settlement Agreement
13 terminates prior to Final Settlement Approval, the time elapsed during the stay of this action
14 shall not be considered as a factor in the determination of the motion for class certification
15 or any other motion or issue.

16 Immediately upon Final Settlement Approval, plaintiffs will dismiss this action in its
17 entirety with prejudice as to all Defendants.

18 Within five business days of Final Settlement Approval, Plaintiffs or, at Defendants'
19 option, Defendants, shall file the Stipulation re Dismissal, the Declaration in Support of
20 Dismissal of Putative Class Action, and the [Proposed] Order re Dismissal attached hereto
21 (without their exhibits) as Exhibits 2-4. Plaintiffs shall use their best efforts to obtain the
22 entry of the [proposed] Order re Dismissal.

23 _____, 2006

24 By: _____
25 JUDGE OF THE SUPERIOR COURT

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