

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

MARK CHAMBERS, et al.

Plaintiffs,

V.

CITY AND COUNTY OF
SAN FRANCISCO

Defendant.

Case No.: C06-06346 WHA

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF
SETTLEMENT AGREEMENT,
DIRECTING NOTICE TO THE CLASS,
FOR A SCHEDULING ORDER AND
FAIRNESS HEARING, AND TO VACATE
THE TRIAL DATE**

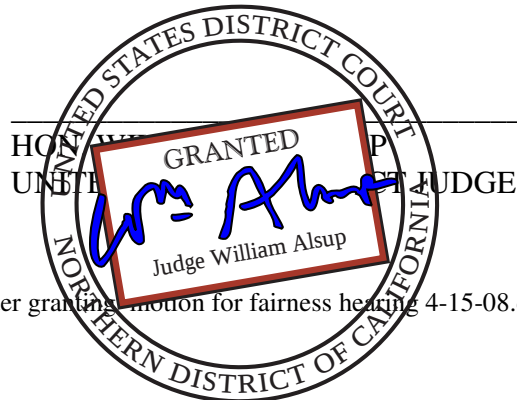
CLASS ACTION

Plaintiffs Mark Chambers, Woodrow Falls, Jr., M.H., Phillip K., Gerald Scott, and Mary T.; and the organizational Plaintiff, Independent Living Resource Center of San Francisco (ILRCSF) (“plaintiffs”), and defendant City and County of San Francisco have filed a Joint Request for Preliminary Approval of Settlement Agreement, Directing Notice to the Class, for a Scheduling Order and Fairness Hearing and for vacating the trial date of July 28, 2008. The Court, having considered the joint moving papers of the Parties and the Settlement Agreement and proposed notice to the class submitted therewith, for good cause appearing, IT IS HEREBY ORDERED THAT:

1. The Settlement Agreement as set forth in Exhibits 1 and 2 to Gershon Declaration is preliminarily approved, subject to notice to the class and final review and approval at the Fairness Hearing as provided for below.
2. The parties shall provide class members with notice in the form attached as Exhibit 3 to the accompanying Gershon Declaration, and in the manner specified in the Settlement Agreement and Joint Motion. The proposed notice to the class is adequate under Rule 23 of the Federal Rules of Civil Procedure.
3. The parties shall adhere to the following general time schedule:
 - a. Notice to the class shall be mailed, posted and/or published in the manner specified in the Settlement Agreement and Joint Motion by June 6, 2008 twenty (20) days after the Court enters this Order;

- b. Each class member shall have until August 4, 2008 ~~four~~ weeks after the date for mailing/posting/publishing, in order to file an objection, and/or provide notice of intent to appear, as the case may be, under the procedures specified in the Settlement Agreement, Joint Motion, and Notice to Class. Such date shall be determined by the postmark of the document filed;
 - c. The parties shall thereafter have two weeks after the final date for filing objections to file responses to objections, if any, from class members.
4. The Court shall conduct a Fairness Hearing on 9/18/08 at 12:00 pm, two weeks after the date for parties to respond to objections, or such other time as the court may schedule, for the purpose of adjudging final approval of the Settlement Agreement.
 5. The trial date of July 28, 2008 and pretrial deadlines are vacated.

DATED: May 8, 2008



F:\docs\chambers\pLEADINGS\orders\Proposed order granting motion for fairness hearing 4-15-08.doc