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**FILED**  
LOS ANGELES SUPERIOR COURT

MAY 07 2009

  
JOHN A. CLARKE, CLERK  
  
BY ELMER SABALBURO, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CONNIE DAHLIN, MARIO GARDNER, et al.,  
Plaintiffs,  
vs.

SAV-ON DRUG STORES, INC., NEW  
ALBERTSONS INC., and Does 1-50, inclusive,  
Defendants.

Case No. BC227551 (consolidated with LASC  
Case No. BC 227720)

[Hon. Victoria G. Chaney, Dept. 324]

CLASS ACTION

~~PROPOSED~~ ORDER GRANTING  
MOTION FOR (1) PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT; (2) APPROVAL OF  
CLASS NOTICE; AND (3) SETTING  
FINAL FAIRNESS AND APPROVAL  
HEARING

The Court having fully reviewed Plaintiffs' Motion for Preliminary Approval of a  
Proposed Class Action Settlement, Memorandum of Points and Authorities, the Stipulation of

~~PROPOSED~~ ORDER GRANTING MOTION FOR (1) PRELIMINARY APPROVAL OF CLASS ACTION  
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APPROVAL HEARING

1 Settlement ("Agreement"), as well as all other supporting documents, and in recognition of the  
2 Court's duty to make a preliminary determination as to the reasonableness of any proposed Class  
3 Action settlement, and if such a determination is made, to provide notice to Class Members and to  
4 conduct a Final Fairness and Approval Hearing,

5 **HEREBY ORDERS AS FOLLOWS:**

6  
7 1. The Court preliminarily approves the settlement of the Action set forth in the  
8 Agreement as falling within the range of possible approval and meriting submission to the Class  
9 for consideration, subject to the Final Fairness and Approval Hearing described below.

10 2. The Court approves, as to form and content, for dissemination and distribution to  
11 potential members of Notice attached to the Agreement as Exhibit D.

12 3. Rosenthal & Co. is appointed as the notice and claim administrator (defined in the  
13 Agreement as the "Qualified Settlement Administrator") and shall send the Notice by first class  
14 mail to all Class Members as set forth in Section 5.4 of the Agreement, and the costs in  
15 connection with the photocopying and mailing of such Notice shall be paid by Defendants as set  
16 forth in the Settlement Agreement.

17 4. The Court finds that mailing of the Notice in the manner required by Section 5.4 of  
18 the Agreement constitutes the best notice practicable under the circumstances to members of the  
19 Class, satisfies the requirements of California Rule of Court 3.769 and due process, and shall  
20 constitute due and sufficient notice to all persons entitled thereto.

21 5. On 8/19/09 at 9<sup>00</sup> Am, or as soon thereafter as counsel may be heard, a  
22 hearing will be held to determine: (a) whether this Court should finally approve the Settlement of  
23 the Action as fair, reasonable, and adequate and whether a Final Judgment should be entered; (b)  
24 whether Plaintiffs' Counsel's application for an award of attorneys' fees and costs should be  
25 granted; and (c) whether the Court should approve incentive awards to the class representatives.

26 The Court may adjourn or continue the Final Fairness and Approval Hearing without further  
27

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1 notice to the Class.

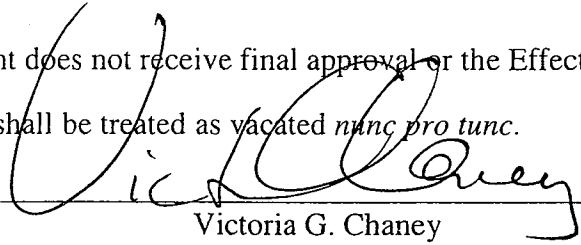
2 6. Any member of the Class may object to the Settlement, personally or through an  
3 attorney, by filing a written objection with the Court and mailing a copy of the objection to Class  
4 Counsel and Defendants' Counsel. All objections must be signed by the class member and  
5 should contain his address and the name of the case (Dahlin, et al. v. Sav-on Drug Stores, Inc., et  
6 al.). All objections must be filed with the Court and postmarked no later than 45 days after the  
7 date of the mailing of the Notice. After timely submitting a written objection, any member of the  
8 Class may appear personally or by counsel at the Final Fairness and Approval Hearing and may  
9 object or express his views regarding the fairness and reasonableness of the Settlement as set  
10 forth in the Agreement and Class Counsel's application for an award of attorneys' fees and costs  
11 and the application for incentive awards to the class representatives, and may present evidence  
12 and file other papers relevant to the issues to be heard and determined by this Court. Any person  
13 within the definition of the Class who does not make his objection in the manner provided shall  
14 be deemed to have waived such objection and shall forever be foreclosed from making any  
15 objection to the fairness or adequacy of the Settlement, the award of attorneys' fees and costs to  
16 Plaintiffs' Counsel, and the incentive awards to the class representatives, unless otherwise  
17 ordered by the Court.

18 7. Class Counsel shall file any applications they may wish to make for attorneys'  
19 fees, costs, expenses and incentive awards to the Court 10 days prior to the hearing.

20 8. The Court may, for good cause, extend any of the deadlines set forth in this order  
21 without further notice to the Class.

22 9. In the event that the Agreement does not receive final approval or the Effective  
23 Date of Settlement fails to occur, this Order shall be treated as vacated *nunc pro tunc*.

24 DATED: 5/7/09

25   
Victoria G. Chaney

26 JUDGE OF THE SUPERIOR COURT

27 3

28 **[PROPOSED] ORDER GRANTING MOTION FOR (1) PRELIMINARY APPROVAL OF CLASS ACTION  
SETTLEMENT; (2) APPROVAL OF CLASS NOTICE; AND (3) SETTING FINAL FAIRNESS AND  
APPROVAL HEARING**