

FILED
CLERK, U.S. DISTRICT COURT
JAN 12 2006
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

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2 BRUCE L. SIMON (#96241)
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U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

In re **HOMESTORE.COM, INC.**
SECURITIES LITIGATION

Master File No. 01-CV-11115 RSWL (CWx)

~~PROPOSED~~ ORDER APPROVING:

This Document Relates To:

ALL ACTIONS.

- (1) PLAN OF ALLOCATION AND DISTRIBUTION; AND
- (2) AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES TO LEAD PLAINTIFF'S COUNSEL

Date: January 9, 2006
Time: 9:00 a.m.
Judge: Hon. Ronald S.W. Lew
Courtroom: 21, 312 North Spring Street
Los Angeles, CA 90012

DOCKETED ON CM
JAN 13 2006
BY _____ 001

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1 The Court, after considering Lead Plaintiff's Motion for Final Approval of the Stipulation
2 of Settlement with PricewaterhouseCoopers LLP, Approval of Plan of Allocation, and Approval
3 of Award of Attorneys' Fees and Reimbursement of Expenses to Lead Plaintiff's Counsel,
4 including all papers submitted and in the record, and GOOD CAUSE APPEARING, IT IS
5 HEREBY ORDERED THAT:

6 **Plan of Allocation**

7 1. The Plan of Allocation is hereby approved as fair, equitable and reasonable to the
8 Class. Pursuant to the Plan of Allocation, the calculation of each Authorized Claimant's
9 allocated share of the Settlement Fund shall be made by the Claims Administrator, and will equal
10 a *pro rata* share of the Settlement Fund.

11 2. A distribution shall be made from the Settlement Fund, consisting of the Net
12 Settlement Fund, including interest accrued thereon, less any fees, expenses, and/or taxes to be
13 paid on interest earned by the Settlement Fund, as described above.

14 3. The distribution shall be calculated by the Claims Administrator and paid to
15 Authorized Claimants based on the verified transactions contained within each Authorized
16 Claimant's Proof of Claim form.

17 4. After the expiration of 90 days, any checks which remain uncashed or undelivered
18 shall be canceled and voided and the aggregate amount of such canceled and voided payments be
19 donated to a non-profit organization, exempt under federal tax laws.

20 5. Any distribution from the Settlement Fund paid by PwC which may be due to
21 members of the Dismissed Defendants subclass as defined in the Court's November 17, 2004
22 Order, including AOL and Cendant, shall be held in trust pending the final resolution of the
23 appeal against them.

24 6. This Court shall retain jurisdiction over all matters relating to the distribution.
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1 **Award of Attorneys' Fees And Reimbursement of Expenses**

2 7. Co-Lead Counsel for the Plaintiff Class, Cotchett, Pitre, Simon & McCarthy
3 ("Cotchett") and Pearson, Soter, Warshaw & Penny LLP ("Pearson"), shall be paid attorneys'
4 fees in the amount of \$1,170,875. This sum represents approximately 6.6% of the Settlement
5 Fund paid to the Class pursuant to the Settlement with defendant PricewaterhouseCoopers LLP
6 ("PwC"), and is consistent with the fee arrangement with Lead Plaintiff CalSTRS. This total fee
7 is fair and reasonable given the recovery to the Class, the nature of the work performed, the risks
8 undertaken, and the lodestar of the respective firms. This fee shall be paid from the Settlement
9 Fund prior to the distribution of the Settlement Fund to the Class, and is without prejudice to
10 Lead Plaintiff's counsel's right to apply for future fees in the event additional recoveries are
11 obtained for benefit of the Class.

12 8. Cotchett and Pearson shall be reimbursed for costs they have advanced to date on
13 behalf of the Class, in the amount of \$1,841,484.43. The costs were reasonable and necessary in
14 order to obtain the result achieved against PwC. This amount shall be paid from the Settlement
15 Fund prior to the distribution of the Settlement Fund to the Class, and is without prejudice to
16 Lead Plaintiff's counsel's right to apply for future reimbursement in the event additional
17 expenses are advanced for the benefit of the Class.

18 IT IS SO ORDERED.

19
20 DATED: 1/11/06

RONALD S.W. LEW

HON. RONALD S. W. LEW
UNITED STATES DISTRICT JUDGE

21
22 Submitted by:
23 **COTCHETT, PITRE, SIMON & McCARTHY**

24
25 By: _____
26 **BRUCE L. SIMON**
27 *Counsel for Lead Plaintiff CalSTRS and the Class*

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1 **PROOF OF SERVICE**

2 **IN RE HOMESTORE.COM, INC. SECURITIES LITIGATION**

3 **Case No. 01-11115RSWL (CWx)**

4
5 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

6 I am employed in the County of LOS ANGELES, STATE OF
7 CALIFORNIA. My business address is 15165 Ventura Boulevard, Suite 400,
8 Sherman Oaks, California 91403. I am over the age of eighteen years and am not a
9 party to the within action;

10 On January 9, 2006, I served the following document(s) entitled
11 **[PROPOSED] ORDER APPROVING: (1) PLAN OF ALLOCATION AND**
12 **DISTRIBUTION; AND (2) AWARD OF ATTORNEYS' FEES AND**
13 **REIMBURSEMENT OF EXPENSES TO LEAD PLAINTIFF'S COUNSEL** on
14 **ALL INTERESTED PARTIES** in this action by placing true copies thereof enclosed
15 in sealed envelopes addressed as follows:

16 **SEE ATTACHED LIST**

17 **BY MAIL:** By placing a true copy thereof in a sealed envelope addressed as above,
18 and placing it for and mailing following ordinary business practices. I am readily
19 familiar with the firm's practice of collection and processing correspondence,
20 pleadings and other matters for mailing with the United States Postal Service. The
21 correspondence, pleadings and other matters are deposited with the United States
22 Postal Service with postage thereon fully prepaid in Sherman Oaks, California, on
23 the same day in the ordinary course of business. I am aware that on motion of the
24 party served, service is presumed invalid if the postal cancellation date or postage
25 meter date is more than one day after date of deposit for mailing in affidavit.

26 I declare that I am employed in the office of a member of the bar of this Court
27 at whose direction the service was made.

28 Executed on January 9, 2006, at Sherman Oaks, California.



Natalie M. Halpern

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