

DJP

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
GERARD CERDA, individually and on :
behalf of all persons similarly :
situated, :
Plaintiff, :
-against- :
RESTAURANT ASSOCIATES, INC. and :
RA TENNIS CORP., :
Defendants. :
-----X

No. 04-CV-03394
(DLI)(RML)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ JUL 28 2006 ★

P.M. _____
TIME A.M. _____

FINAL APPROVAL ORDER

Plaintiff having moved for an order granting final approval of the proposed settlement of this action, and the Court having reviewed the Declaration of Laurence B. Jones respecting the mailing of class action notices and the Declaration of Eugene A. Gaer concerning the receipt of claims, the Court hereby finds as follows:

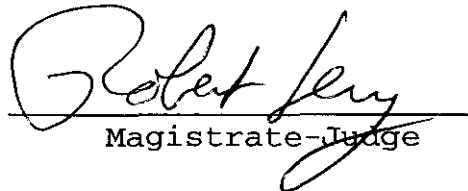
1. Individual notice to class members has been given in accordance with Fed. R. Civ. P. 23(c)(2);
2. The proposed class action settlement is fair, reasonable and adequate in light of all the circumstances of the case, and is hereby approved;
3. Based on the information supplied by plaintiff's counsel and defendant's counsel, the claims submitted by Gricel Hernandez, Kevin Hines, Patricia Ross, and Josiah VanFleet are disallowed because they are not members of the class as defined in the complaint and in the settlement agreement.

4. The application made by plaintiff's counsel to authorize the processing of claims mailed by class members after the July 5, 2006 deadline for mailing same is approved, and all class member claims received by Mr. Gaer on or before July 25, 2006, as well as the claims of Olutowin Cole, Peter Muli-Kaindi, Peggy Mutuku, and Nyambura Mwangi, shall be paid out of the class action Settlement Fund.

5. The parties are authorized and directed to carry out the distribution of the Settlement Fund, as well as payment to plaintiff and counsel in accordance with the terms of the settlement agreement; and

6. The Clerk is hereby directed to close the file in this matter and to mark this case terminated. The Court shall retain jurisdiction for 90 days hereafter to address any questions concerning settlement fund administration and distribution.

Dated: Brooklyn, New York
July 26th, 2006


Magistrate-Judge

State of New York, County of New York ss.:

On May 16, 2003 before me, the undersigned, personally appeared

MANUEL GUAMAN

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]
(signature and office of individual taking acknowledgment)

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 309-b)

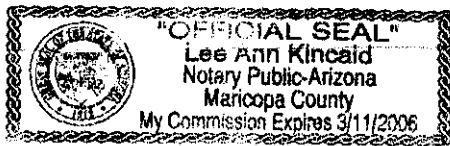
State of Arizona County of Maricopa ss.:

On May 13, 2003 before me, the undersigned, personally appeared Kevin Blackwell

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

(insert city or political subdivision and state or county or other place acknowledgment taken)

[Signature]
(signature and office of individual taking acknowledgment)



State of _____ } ss.:
County of _____ }

On _____ before me, the undersigned, personally appeared

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number, if any, thereof);

MARIAN GOLUB
Notary Public, State of New York
No. 31-484189
Qualified in New York County
Commission Expires 8/30/03

that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

(if taken outside New York State insert city or political subdivision and state or country or other place acknowledgment taken And that said subscribing witness(es) made such appearance before the undersigned in

_____)

(signature and office of individual taking acknowledgment)