

COUNSELLORS AT LAW

PARK 80 PLAZA WEST-ONE · SADDLE BROOK, N.J. 07663 · 201-845-9600 · TELECOPIER 201-845-9423

General E-mail : clphk@njlawfirm.com

Internet Address: www.njlawfirm.com

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June 4, 2010

AT BY E-MAIL & REGULAR MAIL DELIVERY

~~WILLIAM J. WALSH~~
The Honorable Mary L. Cooper, U.S.D.J.
United States District Court
District of New Jersey
Clarkson S. Fisher Building & US Courthouse
402 E. State Street, Room 5000
Trenton, New Jersey 08608

ORDER

RE: Howard Charatz, et als. v. AVAYA, INC., et als.
Civil Action No.: 05-2319
Our File: 36,424

Dear Judge Cooper:

On June 1st Your Honor signed and filed an Order Preliminarily Approving Settlement and Providing for Notice which was entered on the docket on June 2, 2010 (Doc. No. 64). Paragraph 2 of that Order scheduled the Settlement Hearing for August 10, 2010 at 2:00 p.m. Because the provisions of the Class Action Fairness Act may require that the final order and judgment not issue until 90 days after notice has been sent to various state attorneys general, counsel have requested that Your Honor reschedule the Settlement Hearing. We understand that, in response to that request, the hearing will be rescheduled for September 27, 2010 at 1:00 p.m.

We thank Your Honor for your courtesies in this regard and apologize for not bringing this matter to Your Honor's attention earlier.

Respectfully yours,

Peter S. Pearlman

SO ORDERED:

Mary L. Cooper
MARY L. COOPER, U.S.D.J.

PSP:glv

cc: Kerri Chewning (via e-mail only)
Arthur C. Leahy (via e-mail only)
Jeffrey Light (via e-mail only)
Gregory Watts (via e-mail only)

DATED:
JUNE 4, 2010

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Chambers of
Mary L. Cooper, U.S.D.J.