

**E-FILED**

Dec 21, 2015 12:20 PM

David H. Yamasaki

Chief Executive Officer/Clerk

Superior Court of CA, County of Santa Clara

Case #1-12-CV-232227 Filing #G-79389

By R. Walker, Deputy

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6 [Additional counsel appear on signature page.]

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA

8 COUNTY OF SANTA CLARA

9 BRENT T. ROBINSON, et al., Individually )  
10 and on Behalf of All Others Similarly Situated, )

11 Plaintiffs, )

12 vs. )

13 AUDIENCE, INC., et al., )

14 Defendants. )  
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Case No. 1:12-cv-232227

CLASS ACTION

NOTICE OF ENTRY OF ORDER

DATE ACTION FILED: 09/13/12

1 TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

2 PLEASE TAKE NOTICE that the attached Minute Order Preliminarily Approving Settlement  
3 and Providing for Notice was entered by the Court on December 11, 2015. See Exhibit A hereto. The  
4 Final Fairness Hearing Date is set for April 29, 2016, at 9:00 a.m. in Department 1.

5 DATED: December 21, 2015

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Additional Counsel for Plaintiffs

# EXHIBIT A

Superior Court Of California  
Minute Order - CIVIL LAW AND MOTION  
HONORABLE PETER KIRWAN

Calendar For: 12/11/15

Page: 1

Reporter: Melissa Crawford Clerk: Ingrid Stewart Bailiff: Miguel Ramos

Dept: Dept 1

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4. 09:00AM Case: 1-12-CV-232227 Robinson, Et Al. V. Audience, Inc., Et Al.  
Type: Securities Litigation - Unlimited Date Filed: 09/13/12  
SubType: Class Action  
SV: 11/15/12  
Event: CV Mtn Prelim Appv of Class Action Settl Result Code:  
Text: [Continued from 11/13/15] Motion by Plaintiff  
Brent T. Robinson for Preliminary Approval of Class Action  
Settlement

PLT-0002 Boyd Deel  
PLT-0003 Dorothy Kasian  
PLT-0004 Daren Nowak  
PLT-0001 Brent T Robinson  
Atty: Shawn A. Williams  
DEF-0001 Audience, Inc.  
DEF-0005 Forest Baskett  
DEF-0006 Marvin D Burkett  
DEF-0007 Barry L Cox  
DEF-0011 Credit Suisse Securities (USA) Llc  
Atty: Neal A. Potischman  
DEF-0012 Deutsche Bank Securities Inc.  
Atty: Neal A. Potischman  
DEF-0008 Rich Geruson  
DEF-0003 Mohan S Gyani  
DEF-0010 J.P. Morgan Securities, Llc  
Atty: Neal A. Potischman  
DEF-0013 Pacific Crest Securities LLC  
Atty: Neal A. Potischman  
DEF-0004 Kevin S Palatnik  
DEF-0009 George A Pavlov  
DEF-0002 Peter B Santos  
INP-0001 Boyd Deel  
Atty: Francis A. Bottini  
SBP-0001 Non-Party Apple Inc.

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Case: 1-12-CV-232227 Robinson, Et Al. V. Audience, Inc., Et A Date: 12/11/15 Page: 2

NO APPEARANCE     OFF CALENDAR      
 TENTATIVE RULING:  CONTESTED     NOT CONTESTED  
 ADOPTED     AS AMENDED     SEE BELOW     SEE ATTACHED

THE COURT ORDERS THIS CASE:

SET FOR \_\_\_\_\_ ON \_\_\_\_\_ AT \_\_\_\_\_ DEPT \_\_\_\_\_  
 CONTINUED TO \_\_\_\_\_ AT \_\_\_\_\_ DEPT \_\_\_\_\_  
 DISMISSED  WITH PREJUDICE  WITHOUT PREJUDICE  RE: \_\_\_\_\_  
 NO SERVICE; REISSUED TO \_\_\_\_\_ AT \_\_\_\_\_ DEPT \_\_\_\_\_  
 TEMPORARY RESTRAINING ORDER TO REMAIN IN EFFECT  
 MOTION/PETITION  ARGUED  GRANTED  DENIED  OTHER \_\_\_\_\_

DEMURRER  SUSTAINED  WITH \_\_\_\_\_ DAYS LEAVE TO AMEND  WITH LEAVE TO AMEND BY \_\_\_\_\_  
 WITHOUT LEAVE TO AMEND  AS TO \_\_\_\_\_ CAUSE(S) OF ACTION  
 OVERRULED \_\_\_\_\_ DAYS TO ANSWER OR PLEAD FURTHER  AS TO \_\_\_\_\_ CAUSE(S) OF ACTION

TAKEN UNDER SUBMISSION; WRITTEN DECISION TO BE MAILED  
 ORDER SIGNED  SERVED ON COUNSEL IN COURT  \_\_\_\_\_ TO PREPARE ORDER

EXEMPTION:  ALLOWED  DISALLOWED  OTHER \_\_\_\_\_  
 PAYMENT GRANTED \$ \_\_\_\_\_ PER \_\_\_\_\_ FROM \_\_\_\_\_  CERTIFIED COPY OF MINUTES TO SHERIFF

SWORN, EXAMINED AND DISCHARGED  PURGED OF CONTEMPT  ORDERED RELEASED  
 BAIL:  APPLIED \$ \_\_\_\_\_  EXONERATED \$ \_\_\_\_\_  FORFEITED  OTHER \_\_\_\_\_

BENCH WARRANT ORDERED FOR \_\_\_\_\_ BAIL \$ \_\_\_\_\_  
 SET FOR  COURT TRIAL  JURY TRIAL ON \_\_\_\_\_ AT 8:45 AM. TIME ESTIMATE \_\_\_\_\_

JURY DEMANDED BY \_\_\_\_\_  JURY WAIVED BY \_\_\_\_\_  
 TRIAL COUNSEL PLAINTIFF \_\_\_\_\_ DEFENDANT \_\_\_\_\_

SETTLEMENT CONFERENCE ON  WEDNESDAY PRIOR TO TRIAL  ON \_\_\_\_\_  
 OTHER ORDERS: \_\_\_\_\_

**Calendar line 4**

Case Name: *Robinson, et al. v. Audience, Inc.*  
Case Number: 1-14-CV-268198

On November 17, 2015, this Court issued an Order following Plaintiffs' Motion for Preliminary Approval of Class Action Settlement heard on November 13, 2015. The Court's Order requested supplemental briefing and documentation as to five specified issues to allow the Court to complete its analysis as to whether the settlement was fair and met the standards required for preliminary approval. Specifically, the Court requested further information and briefing on the following issues: (1) information regarding the potential recovery by individual members of the class; (2) the Court requested a copy of the "Supplemental Agreement" that governs defendants' option to terminate the settlement if a certain number of potential class members opt out of the class; (3) information which supports the request for up to \$400,000 in fees associated with the claims administration procedure; (4) providing the Court with an amended Class Notice pursuant to the recommendations made by the Court; and (5) providing the Court with an amended Proposed Order setting forth the full process to be employed by the claims administrator in providing notice to the class and incorporating the changes discussed regarding objections at the final fairness hearing.

In response to the Order, Plaintiffs submitted their response on November 25, 2015. The Court has now had an opportunity to review the supplemental information provided by plaintiffs. The Court is satisfied that Plaintiffs have appropriately addressed the issues raised above and preliminary approval is granted. The Final Fairness Hearing Date is set for **April 29, 2016 at 9a.m. in Department 1.**

- 00000 -

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 21st day of December, 2015, the foregoing Notice of Entry of Order was filed electronically with the Clerk of the Court and has been served by operation of the Court's electronic filing system upon the following:

<b>Attorney</b>	<b>E-mail Address</b>	<b>Party Name</b>
William S. Freeman Jones Day	wfreeman@jonesday.com	Apple, Inc.
John C. Dwyer Cooley LLP	dwyerjc@cooley.com	Audience, Inc., Forest Baskett, Marvin D. Burkett, Barry L. Cox, Rich Geruson, Mohan S. Gyani, Kevin S. Palatnik, George A. Pavlov, and Peter B. Santos
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Jeffrey Walker Cooley LLP	jwalker@cooley.com	
Samantha Knox Davis Polk & Wardwell LLP	samantha.knox@davispolk.com	Credit Suisse Securities (USA) LLC, Deutsche Bank Securities, Inc., J.P. Morgan Securities LLC, and Pacific Crest Securities LLC
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<b>Attorney</b>	<b>E-mail Address</b>	<b>Party Name</b>
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Corey Holzer Holzer & Holzer LLC	cholzer@holzerlaw.com	

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 21, 2015, at San Diego, California.

ROBBINS GELLER RUDMAN & DOWD LLP  
JEFFREY D. LIGHT

s/ Jeffrey D. Light  
\_\_\_\_\_  
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**THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SANTA CLARA**

BRENT T. ROBINSON, BOYD DEEL, DOROTHY KASIAN, DAREN NOWAK, individually and on behalf of all others similarly situated,  
Plaintiff,

Plaintiff,

vs.

AUDIENCE, INC., PETER B. SANTOS, MOHAN S. GYANI, KEVIN S. PALATNIK, FOREST BASKETT, MARVIN D. BURKETT, BARRY L. COX, RICH GERUSON, GEORGE A. PAVLOV, J.P. MORGAN SECURITIES LLC, CREDIT SUISSE SECURITIES (USA) LLC, DEUTSCHE BANK SECURITIES INC., PACIFIC CREST SECURITIES LLC, and DOES 1 through 25, inclusive, Defendants.

Defendant.

AND RELATED ACTIONS

) Robinson, et al. v. Audience, Inc., et al.

) Lead Case No.1-12-CV-232227

) Hon. Peter Kirwan

) **PROOF OF SERVICE**  
) **Electronic Proof of Service**

I am employed in the County of Alameda, State of California.

I am over the age of 18 and not a party to the within action; my business address is 2915 McClure Street, Oakland, CA 94609.

The documents described on page 2 of this Electronic Proof of Service were submitted via the worldwide web on Mon. December 21, 2015 at 11:50 AM PST and served by electronic mail notification.

I have reviewed the Court's Order Concerning Electronic Filing and Service of Pleading Documents and am readily familiar with the contents of said Order. Under the terms of said Order, I certify the above-described document's electronic service in the following manner:

The document was electronically filed on the Court's website, <http://www.scefiling.org>, on Mon. December 21, 2015 at 11:50 AM PST

Upon approval of the document by the Court, an electronic mail message was transmitted to all parties on the electronic service list maintained for this case. The message identified the document and provided instructions for accessing the document on the worldwide web.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on December 21, 2015 at Oakland, California.

Dated: December 21, 2015

For WWW.SCEFILING.ORG

Andy Jamieson

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**THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA  
ELECTRONIC FILING SYSTEM - WWW.SCEFILING.ORG**

**Electronic Proof of Service  
Page 2**

**Document(s) submitted by Jeffrey Light of Robbins Geller Rudman & Dowd LLP on Mon. December 21, 2015 at 11:50 AM PST**

1. Ntc:Entry of Order

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