

Zelle Hofmann Voelbel & Mason LLP  
44 Montgomery Street - Suite 3400  
San Francisco, CA 94104

1 Craig C. Corbitt (No. 83251)  
Judith A. Zahid (No. 215418)  
2 José M. Umbert (No. 227318)  
ZELLE HOFMANN VOELBEL & MASON LLP  
3 44 Montgomery Street, Suite 3400  
San Francisco, California 94104  
4 Telephone: (415) 693-0700  
Facsimile: (415) 693-0770  
5

6 Lead Counsel for Plaintiffs  
[Additional Counsel Listed on Signature Page]  
7  
8

9 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
10 CITY AND COUNTY OF SAN FRANCISCO  
11 UNLIMITED JURISDICTION

12 COORDINATION PROCEEDING ) J.C.C.P. No.: 4335  
13 SPECIAL TITLE [RULE 1550(b)] )  
14 **CREDIT/DEBIT CARD TYING CASES** ) **CLASS ACTION**  
15 This Document Relates to: ) **NOTICE OF MOTION AND**  
16 All Actions ) **MOTION FOR PRELIMINARY**  
17 ) **APPROVAL OF CLASS ACTION**  
18 ) **SETTLEMENT**  
19 ) Date: September 28, 2009  
20 ) Time: 10:30 a.m.  
21 ) Dept.: 304  
22 ) Judge: Hon. Richard Kramer  
23 )  
24 ) Trial Date: None set  
25 )  
26 )  
27 )  
28 )

Zelle Hofmann Voelbel & Mason LLP  
44 Montgomery Street - Suite 3400  
San Francisco, CA 94104

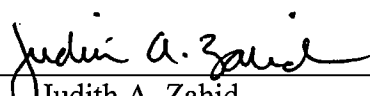
1 TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on September 28, 2009 at 10:30 a.m., or as soon  
3 thereafter as counsel can be heard before the Honorable Richard A. Kramer, Judge of the  
4 Superior Court, City and County of San Francisco, Department 304, 400 McAllister Street,  
5 San Francisco, CA 94102, plaintiffs will move the Court for an order preliminarily approving  
6 the proposed settlement with defendants Visa U.S.A. Inc., Visa International Service  
7 Association, and MasterCard International Incorporated.

8 This motion is made pursuant to California Rule of Court 3.769, and is based upon  
9 this Notice of Motion and Motion for Preliminary Approval of Class Action Settlement; the  
10 Memorandum of Points and Authorities in Support of Motion for Preliminary Approval of  
11 Class Action Settlement; the Declaration of Craig C. Corbitt in Support of Motion for  
12 Preliminary Approval of Class Action Settlement; the Settlement Agreement with  
13 defendants; the [Proposed] Order Preliminarily Approving Settlement and Providing for  
14 Notice to the Settlement Class; and upon such other and further matters as may be presented  
15 at the hearing on this motion.

16  
17 Dated: September 14, 2009

Respectfully submitted,

18  
19  
20 By:   
Judith A. Zahid

21  
22 Craig C. Corbitt (No. 83251)  
Judith A. Zahid (No. 215418)  
José M. Umbert (No. 227318)  
23 ZELLE HOFMANN VOELBEL  
& MASON LLP  
24 44 Montgomery Street, Suite 3400  
San Francisco, California 94104  
25 Telephone: (415) 693-0700  
Facsimile: (415) 693-0770

26 Lead Counsel for Plaintiffs  
27  
28

1 Additional Plaintiffs' Counsel:

2 3 4 5 6 7	Kimberly A. Kralowec SCHUBERT JONCKHEER KOLBE & KRALOWEC LLP Three Embarcadero Center, Suite 1650 San Francisco, CA 94111 Telephone: (415) 788-4220 Facsimile: (415) 788-0161 <a href="mailto:kkralowec@schubertlawfirm.com">kkralowec@schubertlawfirm.com</a> <i>Attorneys for Richard S. E. Johns</i>	Guido Saveri R. Alexander Saveri Geoffrey C. Rushing Cadio Zirpoli SAVERI & SAVERI, INC. 706 Sansome Street San Francisco, CA 94111 Telephone: (415) 217-6810 Facsimile: (415) 217-6813 <a href="mailto:guido@saveri.com">guido@saveri.com</a> <a href="mailto:rick@saveri.com">rick@saveri.com</a> <i>Attorneys for Richard S. E. Johns</i>
8 9 10 11 12 13 14 15	Josef D. Cooper Tracy R. Kirkham COOPER & KIRKHAM, P.C. 357 Tehama Street, 2 <sup>nd</sup> Flr. San Francisco, CA 94103 Telephone: (415) 788-3030 Facsimile: (415) 882-7040 <a href="mailto:coopkirk@aol.com">coopkirk@aol.com</a> <i>Attorneys for Amy Miller</i>	Jonathan W. Cuneo Daniel M. Cohen Jon A. Tostrud CUNEO WALDMAN & GILBERT LLP 317 Massachusetts Ave., N.E., Suite 300 Washington, D.C. 20002 Telephone: (202) 789-3960 Facsimile: (202) 789-1813 <a href="mailto:jonc@cuneolaw.com">jonc@cuneolaw.com</a> <a href="mailto:danielc@cuneolaw.com">danielc@cuneolaw.com</a> <i>Attorneys for Mark Wallgren, Sury Romero, and Robert Carlos Martinez</i>
16 17 18 19 20 21 22 23	Gordon Ball BALL & SCOTT Bank of America Center, Suite 750 550 Main Ave. Knoxville, TN 37902 Telephone: (865) 525-7028 Facsimile: (865) 525-4679 <a href="mailto:gball@ballandscott.com">gball@ballandscott.com</a> <i>Attorneys for Mark Wallgren, Sury Romero, and Robert Carlos Martinez</i>	Steve W. Berman George W. Sampson HAGENS BERMAN SOBOL SHAPIRO LLP 1301 Fifth Avenue, Suite 2900 Seattle, WA 98101 Telephone: (206) 623-7292 Facsimile: (206) 623-0594 <a href="mailto:steve@hagens-berman.com">steve@hagens-berman.com</a> <a href="mailto:george@hagens-berman.com">george@hagens-berman.com</a> <i>Attorneys for Ana C. Lossada</i>

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

<p>Reginald Terrell THE TERRELL LAW GROUP 223 25<sup>th</sup> Street Richmond, CA 94804 Telephone: (510) 237-9700 Facsimile: (510) 237-4616 <a href="mailto:reggiet2@aol.com">reggiet2@aol.com</a> <i>Attorneys for Crystal DeFrantz and Marion Anderson</i></p>	<p>C. Donald Amamgbo AMAMGBO &amp; ASSOCIATES 1940 Embarcadero Oakland, CA 94606 Telephone: (510) 434-7800 Facsimile: (510) 434-7804 <a href="mailto:Donald@amamgbolaw.com">Donald@amamgbolaw.com</a> <i>Attorneys for Crystal DeFrantz and Marion Anderson</i></p>
<p>Brian Barry Jill Levine Betts LAW OFFICES OF BRIAN BARRY 1801 Avenue of the Stars, Suite 307 Los Angeles, CA 90067 Telephone: (310) 788-0831 Facsimile: (310) 788-0841 <a href="mailto:bribarry1@yahoo.com">bribarry1@yahoo.com</a></p>	<p>Maxwell M. Blecher Donald R. Pepperman BLECHER &amp; COLLINS, P.C. 611 West Sixth Street, 20th Floor Los Angeles, CA 90017 Telephone: (213) 622-4222 Facsimile: (213) 622-1656 <a href="mailto:dpepperman@blechercollins.com">dpepperman@blechercollins.com</a> <i>Attorneys for Mark Wallgren, Sury Romero, and Robert Carlos Martinez</i></p>
<p>Emelike I. Kalu LAW OFFICES OF EMELIKE I. KALU, APC 3540 Wilshire Blvd., Suite PH-7 Los Angeles, CA 90010 Telephone: (213) 480-4121 Facsimile: (213) 480-4120 <a href="mailto:emkalu101@aol.com">emkalu101@aol.com</a> <i>Attorneys for Michael I. Kalu</i></p>	<p>Chief Nnamdi A. Ekenna THE EKENNA LAW FIRM, apc. 4311 Wilshire Boulevard, Suite 612-B Los Angeles, CA 90010-3717 Telephone: (323) 954-1000 Facsimile: (323) 954-1001 <a href="mailto:chiefekenna@aol.com">chiefekenna@aol.com</a> <i>Attorneys for Wambura N. Mkono, Sebron Johnson, and the Class</i></p>
<p>Joseph M. Patane LAW OFFICES OF JOSEPH M. PATANE 2280 Union Street San Francisco, CA 94123 Telephone: (415) 563-7200 Facsimile: (415) 346-0679 <a href="mailto:jpatane@tatp.com">jpatane@tatp.com</a> <i>Attorneys for Karen Brock</i></p>	<p>Mario N. Alioto TRUMP, ALIOTO, TRUMP &amp; PRESCOTT, LLP 2280 Union Street San Francisco, CA 94123 Telephone: (415) 563-7200 Facsimile: (415) 346-0679 <a href="mailto:malioto@tatp.com">malioto@tatp.com</a> <i>Attorneys for Karen Brock</i></p>

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

<p>Rosemary Rivas FINKELSTEIN THOMPSON &amp; LOUGHRAN 100 Bush Street, Suite #1450 San Francisco, CA 94104 Tel.: (415) 398-8700 Fax: (415) 398-8104 Email: <a href="mailto:rrivas@finkelsteinthompson.com">rrivas@finkelsteinthompson.com</a> <i>Attorneys for Foad Ahmadi and Iman Sadri</i></p>	<p>Lionel Z. Glancy Avi N. Wagner GLANCY BINKOW &amp; GOLDBERG LLP 1801 Avenue of the Stars, Suite 311 Los Angeles, CA 90067 Telephone: (310) 201-9150 Facsimile: (310) 201-9160 <a href="mailto:info@glancylaw.com">info@glancylaw.com</a> <i>Attorneys for Lindsey Rosenthal</i></p>
<p>Susan G. Kupfer GLANCY BINKOW &amp; GOLDBERG LLP One Embarcadero Center, Suite 760 San Francisco, CA 94111 Telephone: (415) 972-8160 Facsimile: (415) 972-8166 <a href="mailto:skupfer@glancylaw.com">skupfer@glancylaw.com</a> <i>Attorneys for Lindsey Rosenthal</i></p>	<p>Marc M. Seltzer Amy T. Brantly SUSMAN GODFREY L.L.P. 1901 Avenue of the Stars, Suite 950 Los Angeles, CA 90067 Telephone: (310) 789-3100 Facsimile: (310) 789-3150 <a href="mailto:mseltzer@susmangodfrey.com">mseltzer@susmangodfrey.com</a> <a href="mailto:abrantly@susmangodfrey.com">abrantly@susmangodfrey.com</a> <i>Attorneys for Carmela Chiurazzi</i></p>
<p>Neal S. Manne Mark Evetts SUSMAN GODFREY L.L.P. 1000 Louisiana Street Houston, TX 77002 Telephone: (713) 651-9366 Facsimile: (713) 654-6666 <a href="mailto:nmanne@susmangodfrey.com">nmanne@susmangodfrey.com</a> <i>Attorneys for Carmela Chiurazzi</i></p>	<p>Ali Oromchian DENTAL COUNSEL, P.C. 2603 Camino Ramon, Suite 200 San Ramon, CA 94583 Telephone: (925) 242-2511 Facsimile: (925) 884-1725 <a href="mailto:aoromchian@gmail.com">aoromchian@gmail.com</a> <i>Attorneys for Foad Ahmadi</i></p>

3218042v1