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**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

WILLIAM HOPWOOD, individually and on  
behalf of all others similarly situated,

*Plaintiff,*

v.

NUANCE COMMUNICATIONS, INC., a  
Delaware corporation, and INFINITY  
CONTACT, INC., an Iowa corporation,

*Defendants.*

Case No. 4:13-cv-02132-YGR

~~PROPOSED~~ FINAL JUDGMENT

Judge: Hon. Yvonne Gonzalez Rogers

1 For the reasons set forth in this Court’s Order Approving Settlement, Awarding Attorneys’  
2 Fees and an Incentive Award, and Dismissing Claims of Settlement Class Members with Prejudice  
3 (“Final Approval Order”), in the above-captioned matter as to the following class of persons:

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5 All individuals who received a call on a United States wireless telephone number  
6 from Infinity for the purpose of offering one or more Nuance products between  
7 May 8, 2009 and May 12, 2015. The Settlement Class excludes Nuance  
8 Communications, Inc. (“Nuance”) and Infinity Contact, Inc. (“Infinity”), their  
9 officers and directors during the Settlement Class Period, the members of their  
10 immediate families, and their respective representatives, heirs, successors and  
11 assigns. The Settlement Class also excludes those Persons who otherwise satisfy  
12 the above requirements for membership in the Settlement Class, but who timely  
13 and validly requested exclusion from the Settlement Class pursuant to the Notice  
14 sent.

15 **JUDGMENT IS HEREBY ENTERED**, pursuant to Federal Rule of Civil Procedure 58,  
16 as to the above specified class of persons, Plaintiff William Hopwood (the “Class  
17 Representative”), Nuance, and Infinity, on the terms and conditions of the Stipulation and  
18 Agreement of Settlement (“Settlement Agreement”) approved by the Court’s October 28, 2015  
19 Final Approval Order.

20 1. The Court, for purposes of this Final Judgment adopts the terms and definitions set  
21 forth in the Settlement Agreement appended to the Final Approval Order.

22 2. All Released Claims of the Plaintiffs are hereby released as against Defendants and  
23 all other Released Parties as defined in the Settlement Agreement.

24 3. The claims of the Class Representative and the Settlement Class are dismissed on  
25 the merits and with prejudice in accordance with the Court’s Final Approval Order.

26 4. The Parties shall bear their own costs and attorneys’ fees, except as otherwise set  
27 forth in the Final Approval Order.

28 5. This document constitutes a final judgment and separate document for purposes of  
Federal Rule of Civil Procedure 58(a).

6. The Court finds, pursuant to Rule 54(a) of the Federal Rules of Civil  
Procedure, that this Final Judgment should be entered and that there is no just reason for delay in

1 the entry of this Final Judgment as to Plaintiffs and Defendants. Accordingly, the Clerk is hereby  
2 directed to enter Judgment forthwith.

3 **IT IS SO ORDERED.**

4 **JUDGMENT ENTERED** this 28th day of October, 2015

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7 HONORABLE YVONNE GONZALEZ ROGERS  
8 UNITED STATES DISTRICT COURT  
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