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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

KARLA MAREE and MOURAD
GUERDAD, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

DEUTSCHE LUFTHANSA AG,

Defendant.

Case No. 8:20-cv-00885-SVW-MRW

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES, COSTS, AND
EXPENSES, AND INCENTIVE
AWARDS**

Judge: Hon. Stephen V. Wilson

1 WHEREAS, Plaintiffs have submitted authority and evidence supporting
2 Class Counsel’s Motion for Award of Attorneys’ Fees, Costs, and Expenses, and
3 Incentive Awards; and

4 WHEREAS, the Court, having considered the Motion and being fully advised,
5 finds that good cause exists for entry of the Order below; therefore,

6 IT IS HEREBY FOUND, ORDERED, ADJUDGED, AND DECREED
7 THAT:

8 1. Unless otherwise provided herein, all capitalized terms in this Order
9 shall have the same meaning as set forth in Class Counsel’s Motion for Award of
10 Attorneys’ Fees, Costs, and Expenses, and Incentive Awards.

11 2. Class Counsel requests the Court award 24.47% of the total \$3.5 million
12 Settlement Cap as attorneys’ fees.

13 3. These requested attorneys’ fees, which reflect the “benchmark” fee
14 award in common fund cases, are fair and reasonable. *See Vizcaino v. Microsoft*
15 *Corp.*, 290 F.3d 1043,1047, 1052 (9th Cir. 2002). The Court reaches this conclusion
16 after analyzing: (1) the extent to which class counsel achieved exceptional results for
17 the class; (2) whether the case was risky for class counsel; (3) whether counsel’s
18 performance generated benefits beyond the cash settlement fund; (4) the market rate
19 for the particular field of law; (5) the burdens class counsel experienced while
20 litigating the case; (6) and whether the case was handled on a contingency basis.

21 4. Class Counsel performed exceptional work and achieved an excellent
22 result for the Class, recovering at least \$3.5 million in value for the Settlement Class,
23 if not more. This litigation was extremely risky for Class Counsel. Class Counsel
24 worked entirely on contingency basis.

25 5. The market supports the fee, which is 24.47% of the Settlement Cap of
26 \$3.5 million. *See, e.g., Vasquez v. Coast Valley Roofing, Inc.*, 266 F.R.D. 482, 492
27 (E.D. Cal. 2010) (citing to five recent class actions where federal district courts
28 approved attorney fee awards ranging from 30% to 33%); *Dakota Med., Inc. v.*

1 *RehabCare Grp., Inc.*, 2017 WL 4180497, at *7-8, 14 (E.D. Cal. Sept. 21, 2017)
2 (awarding 33.33% in attorney’s fees); *Vandervort v. Balboa Capital Corp.*, 8 F.
3 Supp. 3d 1200, 1210 (C.D. Cal. 2014) (awarding 33.33% as attorney’s fees); *Retta v.*
4 *Millennium Prods., Inc.*, 2017 WL 5479637, at *19 (C.D. Cal. Aug. 22, 2017)
5 (awarding 25% in attorneys’ fees in claims made settlement); *Young v. Polo Retail,*
6 *LLC*, 2007 WL 951821, at *10 (N.D. Cal. Mar. 28, 2007) (awarding ~\$438,000 in
7 attorneys’ fees in claims made settlement valued at \$1.4 million); *Lopez v.*
8 *Youngblood*, 2011 WL 10483569, at *15 (E.D. Cal. Sept. 2, 2011) (awarding 28.5%
9 in attorneys’ fees in claims made settlement); *Maree*, 2023 WL 2563914, at *8 (“The
10 fees provided to Maree’s counsel align with the Ninth Circuit[’s] 25% benchmark.”);
11 *see also* Introduction, *supra* (citing cases where this Court awarded 25% in
12 attorneys’ fees).

13 6. The Court has conducted a lodestar cross-check, which yields a
14 multiplier of 1.66 based on Class Counsel’s present hours. The hours spent by Class
15 Counsel on this matter are reasonable, and counsel’s rates are supported by evidence
16 establishing that they are in line with current market rates for attorneys with
17 comparable experience and expertise in their field. The multiplier is reasonable and
18 supports the award sought.

19 7. In addition to the fee request, Class Counsel requests reimbursement of
20 \$18,501.39 in costs and expenses. *Staton v. Boeing Co.*, 327 F.3d 938, 974 (9th Cir.
21 2003).

22 8. The Court finds these costs and expenses reasonable and appropriate.
23 The Court consequently grants Class Counsel’s motion for reimbursement of
24 \$18,501.39 in costs and expenses.

25 9. Class Counsel requests an incentive award of \$2,000 each for the two
26 representative Plaintiffs. The requested incentive awards are fair and reasonable. *See*
27 *In re Portfolio Recovery Assocs., LLC, Tel. Consumer Prot. Act Litig.*, 2017 WL
28 10777695, at *3 (S.D. Cal. Jan. 25, 2017) (incentive award appropriate where class

1 representatives “were required to review documents” and “they will earn little for
2 their efforts without [] incentive payments”); *see also Van Vranken v. Atl. Richfield*
3 *Co.*, 901 F. Supp. 294, 299 (N.D. Cal. 1995).

4 10. Based on the foregoing, the Court awards Class Counsel \$856,498.61 in
5 attorneys’ fees; awards Class Counsel costs and expenses in the amount of
6 \$18,501.39; and Karla Maree and Mourad Guerdad \$2,000 each as service awards.

7
8 IT IS SO ORDERED.

9 Dated: _____

10 _____
11 HON. STEPHEN V. WILSON
12 UNITED STATES DISTRICT JUDGE
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