

1 David Mara, Esq. (SBN 230498)
2 Tony Roberts, Esq. (SBN 315595)
3 **MARA LAW FIRM, PC**
4 2650 Camino Del Rio North, Suite 205
5 San Diego, California 92108
6 Tel: (619) 234-2833; Fax: (619) 234-4048
7 Attorneys for Plaintiffs Amanda Gonzalez
8 and Audriana Gonzalez and the Class
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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 AMANDA GONZALEZ and
11 AUDRIANA GONZALEZ on behalf
12 of themselves, all others similarly
13 situated and on behalf of the general
14 public,
15 Plaintiffs,
16 v.
17 BURLINGTON COAT FACTORY
18 WAREHOUSE CORPORATION
19 and DOES 1-10,
20 Defendants.
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CASE NO. 5:18-cv-00666-JGB-SP
Honorable Jesus G. Bernal

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES, COSTS, AND
CLASS REPRESENTATIVE
ENHANCEMENT PAYMENTS**

Date: March 1, 2021
Time: 9:00 a.m.
Courtroom: 1

Filed: February 27, 2018
FAC Filed: October 31, 2018
Trial Date: None

1 **I. RECITALS**

2 This matter came on for hearing on March 1, 2021 at 9:00 a.m., in
3 Department 1 of the above-captioned Court on Plaintiffs’ Motion for Attorneys’
4 Fees, Costs, and Class Representative Enhancement Payments. The Court has
5 reviewed Plaintiffs’ Motion for Attorneys’ Fees, Costs, and Class Representative
6 Enhancement Payments filed by Plaintiffs Amanda Gonzalez and Audriana
7 Gonzalez. For purposes of this Order, the Court adopts all defined terms as set
8 forth in the Parties’ Joint Stipulation of Class Action and PAGA Representative
9 Action Settlement and Release (“Settlement Agreement”) filed with the Court in
10 conjunction with preliminary approval.

11 **II. FINDINGS**

12 After review and consideration of Plaintiffs’ Motion for Attorneys’ Fees,
13 Costs, and Class Representative Enhancement Payments and the papers in support
14 thereof, the Court hereby finds as follows:

15 1. Class Counsel have conferred a benefit on Class Members and having
16 expended efforts to secure a benefit to the Class are entitled to a fee. Accordingly,
17 the Court approves the application of Class Counsel for \$750,000 for attorneys’
18 fees and \$25,826.97 for litigation costs.

19 2. The Court does not find the attorneys’ fee award of \$750,000 and
20 costs of \$25,826.97 to be a disproportionate distribution of the settlement under the
21 analysis set forth in *In Re Bluetooth Product Liability Case* (“*Bluetooth*”) (9th Cir.
22 2011) 654 F.3d 935. The Court also finds the attorneys’ fee award here is not
23 unreasonable under *Bluetooth* because the Parties did not arrange for fees to revert
24 to Defendant in the event the Court awarded less than requested.

25 3. The Class Representative Enhancement Payments in the amounts of
26 \$7,500 to Plaintiff Amanda Gonzalez and Audriana Gonzalez each are approved.
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1 **III. ORDER**

2 IT IS HEREBY ORDERED as follows:

3 1. As defined in the Settlement Agreement, the Court directs the
4 Settlement Administrator to disburse the following out of the Maximum
5 Settlement Amount (“MSA”):

6 a. To Plaintiff Amanda Gonzalez, the Class Representative
7 Enhancement Payment in the amount of \$7,500;

8 b. To Plaintiff Audriana Gonzalez the Class Representative
9 Enhancement Payment in the amount of \$7,500;

10 c. To Class Counsel, the attorneys’ fees in the sum of \$750,000 (25% of
11 the MSA); and,

12 d. To Class Counsel, the litigation costs in the sum of \$25,826.97.

13 2. The Court retains jurisdiction over the administration and effectuation
14 of the Settlement, including, but not limited to, the ultimate disbursal of Class
15 Counsel’s attorneys’ fees and costs and Plaintiffs’ Class Representative
16 Enhancement Payment, and any other issue related to this Settlement.

17
18 **IT IS SO ORDERED.**

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21 Date: _____

By: _____

22 HON. JESUS G. BERNAL
23 UNITED STATES DISTRICT COURT
24 CENTRAL DISTRICT OF CALIFORNIA