

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL**

MINUTE ORDER

DATE: 11/30/2018

TIME: 08:25:00 AM

DEPT: C-74

JUDICIAL OFFICER PRESIDING: Ronald L. Styn

CLERK: Kim Mulligan

REPORTER/ERM: Not Reported

BAILIFF/COURT ATTENDANT: A. Riego

CASE NO: **37-2016-00021373-CU-OE-CTL** CASE INIT.DATE: 06/23/2016

CASE TITLE: **Patterson vs Phone Ware Inc [E-File]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

EVENT TYPE: Motion Hearing (Civil)

APPEARANCES

Daniel Srourian, counsel, present for Plaintiff(s) telephonically.

Shareef S. Farag, counsel, present for Defendant,Cross - Complainant(s) telephonically.

Counsel as noted above submit(s) on the Court's tentative ruling.

The Court CONFIRMS the tentative ruling as follows:

Plaintiffs' motion for final approval of class action settlement is granted. Applying the factors set forth in *Dunk v. Ford Motor Co.* (1996) 48 Cal.App.4th 1796, 1801, the court finds that Plaintiffs meet their burden of showing that the settlement is fair, adequate and reasonable. See also, *Wershba v. Apple Computer, Inc.* (2001) 91 Cal.App.4th 224, 244. Plaintiffs' request for attorneys' fees, costs and a class representative service award is granted. The court finds an award of attorneys' fees of \$103,950.00 proper under the percentage of common fund with Lodestar cross-check analysis of *Laffitte v. Robert Half Intern. Inc.* (2016) 1 Cal.5th 480 and the authorities cited therein. The court finds costs of \$10,000.00 reasonable. See, *Serrano v. Priest* (1977) 20 Cal.3d 25, 35. The court awards Plaintiffs attorneys' fees of \$103,950.00 and costs of \$10,000.00. The court finds a service award of \$5,000.00 to each of the sub-class representatives reasonable. The court approves Plaintiffs' request for a class representative service award in the amount of \$5,000.00, each, to Plaintiffs Tyesha Rogers, Claranisha Rainey-Palm and Ronisha Andrews. *In re Cellphone Fee Termination Cases* (2010) 186 Cal.App.4th 1380. The court approves the PAGA [Private Attorney General Act] settlement amount of \$7,500.00 with 75% of the settlement monies (\$5,625.00) to be awarded to the California Labor & Workforce Development Agency and 25% of the settlement monies (\$1,875.00) to be distributed to the class. The

court approves claims administration costs in the amount of \$15,000.

The court signs the [Proposed] Order Granting Plaintiffs' Motion for Final Approval of Class Action Settlement and Application for Attorneys' Fees; and Final Judgment Thereon.

Plaintiff to give notice.

IT IS SO ORDERED.



Judge Ronald L. Styn