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JS-6

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

JOSE JACOBO, et al.,
Plaintiffs,
vs.
ROSS STORES, INC., et al.,
Defendants.

Case No. 2:15-cv-04701-MWF-AGRx
CLASS ACTION

**ORDER AND JUDGMENT:
(1) CONFIRMING
CERTIFICATION OF
SETTLEMENT CLASS
(2) GRANTING FINAL APPROVAL
OF CLASS ACTION
SETTLEMENT
(3) APPROVING CLASS
REPRESENTATIVE
ENHANCEMENT PAYMENTS
(4) AWARDING CLASS COUNSEL
FEES AND COSTS
(5) APPROVING SETTLEMENT
ADMINISTRATOR FEES
(6) ENTERING FINAL JUDGMENT**

1 This matter has come before the Court pursuant to Plaintiffs’ Motion for
2 Final Approval of Class Action Settlement (“Motion for Final Approval”) and
3 Plaintiffs’ Motion for Attorneys’ Fees and Costs, Costs of Administration, and
4 Representative Enhancement Payments (ECF Doc. No. 141) (“Motion for
5 Attorneys’ Fee”) (collectively the “Motions”). The Court has considered the
6 Motions, their accompanying memoranda and declarations, and the Settlement
7 Agreement. The Court determines that the Settlement is fair, reasonable and
8 adequate. Adequate notice of the Settlement was provided to the Settlement Class
9 in compliance with due process.

10 **NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED and**
11 **DECREED:**

- 12 1. The Court has jurisdiction over this action and the Parties' Proposed
13 Settlement under 28. U.S.C. §§ 1332(d) and 1453 pursuant to the Class
14 Action Fairness Act since the amount in controversy exceeds \$5,000,000
15 and because of the complete diversity between Plaintiffs and Defendant.
- 16 2. For the reasons stated in the Order Granting Plaintiffs’ Motion for
17 Preliminary Approval of Class Action Settlement and Certification of
18 Settlement Class (ECF Doc. No. 138) (“Preliminary Approval Order”), the
19 Court finds that the action meets all the requirements for class certification,
20 and it is hereby ordered that the Settlement Class is finally approved and
21 certified as a class for purposes of settlement of this action.
- 22 3. The Parties' Settlement Agreement (“SA”) (attached as Exhibit A to the
23 Declaration Douglas Caiafa) is granted final approval as it meets the criteria
24 for final settlement approval. The Settlement falls within the range of
25 possible approval as fair, adequate, and reasonable, and appears to be the
26 product of arms- length and informed negotiation, and to treat all Class
27 Members fairly.


- 1 4. Notice to Class Members of the Settlement as described in the SA and the
2 Preliminary Approval Order, including the Summary Notice, online and
3 mobile media notice, and Publication Notice, were sufficient to inform
4 Class Members of the terms of the Settlement; their rights under the
5 Settlement; their rights to object to the Settlement; their right to receive a
6 Merchandise Certificate with a cash option, or elect not to participate in
7 the Settlement; the processes for receiving a Merchandise Certificate with
8 a cash option, electing not to participate in the Settlement, or objecting to
9 the Settlement; and the date and location of the final approval hearing.
10 Therefore, the Court finds and determines that the Notice to Class
11 Members was complete and constitutionally sound, because individual
12 notices were mailed and/or emailed to all Class Members whose identities
13 and addresses are reasonably known to the Parties, and Notice was
14 published in accordance with this Court's Preliminary Approval Order,
15 and such notice was the best notice practicable.
- 16 5. Class Members were provided with the opportunity to comment on, or
17 object to the Settlement, as well as to elect not to participate in the
18 Settlement. No valid or timely objections were filed by any Class Member,
19 and only 2 Class Members elected to not participate in the Settlement.
- 20 6. CPT is awarded \$630,250 for their services as Settlement Administrator,
21 pursuant to the terms set forth in the SA.
- 22 7. Class Representatives Jose Jacobo and Theresa Metoyer are each awarded
23 the sum of \$5,000 as a Class Representative Enhancement Payment
24 pursuant to the terms set forth in the SA.
- 25 8. Class Counsel is awarded \$1,213,500, as attorneys' fees, and \$19,750 as
26 costs, pursuant to the terms set forth in the SA.

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9. By means of this Final Order and Judgment, this Court hereby enters Final Judgment in this action, as defined in Rule 54, Federal Rules of Civil Procedure.
10. This action is dismissed with prejudice, each side to bear its own costs and attorneys' fees except as provided by the SA and this Final Order and Judgment.
11. The Court hereby reserves its exclusive, general and continuing jurisdiction over the SA as needed or appropriate in order to administer, supervise, implement, interpret or enforce the Settlement in accordance with its terms.

Dated: August 6, 2019



MICHAEL W. FITZGERALD
United States District Judge