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JS-6

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

LEILAND STEVENS, Individually and )  
on Behalf of All Others Similarly )  
Situating, )  
  
Plaintiff, )  
  
v. )  
  
QUIKSILVER, INC., ANDREW P. )  
MOONEY, and RICHARD SHIELDS, )  
  
Defendants. )

Case No. 8:15-cv-00516 JVS (JCGx)  
  
**FINAL JUDGMENT AND ORDER  
OF DISMISSAL WITH  
PREJUDICE**  
  
**Date: May 1, 2017**  
**Time: 1:30 p.m.**  
**Room: Courtroom 10C**  
**Judge: Hon. James V. Selna**

1 This matter came before the Court for hearing pursuant to the Order of this  
2 Court on the motion of the Lead Plaintiff for final approval of the Settlement set forth  
3 in the Stipulation of Settlement dated November 16, 2016 (the “Stipulation”). Due  
4 and adequate notice having been given to the Settlement Class as required in said  
5 Order, and the Court having considered all papers filed and proceedings had herein  
6 and otherwise being fully informed in the premises and good cause appearing  
7 therefore, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

8 1. The terms used in this Judgment have the same meanings assigned to  
9 them in the Stipulation.

10 2. This Court has jurisdiction over the subject matter of the Litigation and  
11 over all parties to the Litigation, including all members of the Settlement Class.

12 3. Pursuant to Federal Rule of Civil Procedure 23, this Court hereby  
13 approves the Settlement set forth in the Stipulation and finds that said Settlement is,  
14 in all respects, fair, just, reasonable and adequate to the Settlement Class. The Court  
15 also hereby reaffirms its findings and conclusion, set forth in the Preliminary  
16 Approval Order, that, for purposes of the Stipulation and the Settlement, this  
17 Settlement Class meets the prerequisites for bringing a class action set forth in  
18 Federal Rule of Civil Procedure Rule 23(a) and the requirements for maintenance of  
19 a class action under Rule 23(b)(3). The Court hereby makes final its previously  
20 conditional certification of the Settlement Class.

21 4. Except as to any individual claim of those Persons (identified in Exhibit  
22 1 attached hereto, if any) who have validly and timely requested exclusion from the  
23 Settlement Class, the Litigation and all claims contained therein, as well as all of the  
24 Released Claims are dismissed with prejudice by the Lead Plaintiff and the other  
25 members of the Settlement Class, and as against the Released Persons. The Settling  
26 Parties are to bear their own costs, except as otherwise provided in the Stipulation.



1 court of law or equity, arbitration tribunal, administrative forum, or other forum of  
2 any kind, asserting against any of the Released Persons, and each of them, any of the  
3 Released Claims.

4 9. Upon the Effective Date, each of the Defendants shall be deemed to  
5 have, and by operation of this Judgment shall have, fully, finally, and forever  
6 released, relinquished and discharged each and all members of the Settlement Class  
7 and counsel to the Lead Plaintiff from all claims (including Unknown Claims),  
8 arising out of, relating to, or in connection with the institution, prosecution, assertion,  
9 settlement or resolution of (i) the Litigation, or (ii) the Released Claims, other than  
10 the obligations provided in the Stipulation.

11 10. The Notice of Pendency and Proposed Settlement of Class Action given  
12 to the Settlement Class was the best notice practicable under the circumstances,  
13 including the individual notice to all members of the Settlement Class who could be  
14 identified through reasonable effort. Said notice provided the best notice practicable  
15 under the circumstances of those proceedings and of the matters set forth therein,  
16 including the proposed Settlement set forth in the Stipulation, to all Persons entitled  
17 to such notice, and said notice fully satisfied the requirements of Federal Rule of Civil  
18 Procedure 23 and the requirements of due process.

19 11. Any Plan of Allocation submitted by Lead Counsel or any order entered  
20 regarding the attorneys' fees application shall in no way disturb, affect, or delay the  
21 entry of this Judgment and shall be considered separate from this Judgment.

22 12. Neither the Stipulation nor the Settlement contained therein, nor any act  
23 performed or document executed pursuant to or in furtherance of the Stipulation or  
24 the Settlement: (i) is or may be deemed to be or may be used as an admission of, or  
25 evidence of, the validity of any Released Claim, or of any wrongdoing or liability of  
26 the Defendants, or (ii) is or may be deemed to be or may be used as an admission of,  
27 or evidence of, any fault or omission of any of the Defendants in any civil, criminal

1 or administrative proceeding in any court, administrative agency or other tribunal.  
2 The Released Persons may file the Stipulation and/or the Judgment from this action  
3 in any other action that may be brought against them in order to support a defense or  
4 counterclaim based on principles of *res judicata*, collateral estoppel, release, good  
5 faith settlement, judgment bar or reduction or any theory of claim preclusion or issue  
6 preclusion or similar defense or counterclaim.

7 13. Without affecting the finality of this Judgment in any way, this Court  
8 hereby retains continuing jurisdiction over (a) implementation of this Settlement and  
9 any award or distribution of the Settlement Fund, including interest earned thereon;  
10 (b) disposition of the Settlement Fund; (c) hearing and determining applications for  
11 attorneys' fees, interest and reimbursement of expenses in the Litigation; and (d) all  
12 parties hereto for the purpose of construing, enforcing and administering the  
13 Stipulation.

14 14. The Court finds that during the course of the Litigation, the Settling  
15 Parties and their respective counsel at all times prosecuted and defended the  
16 Litigation in good faith.

17 15. In the event that the Settlement does not become effective in accordance  
18 with the terms of the Stipulation or in the event that the Settlement Fund, or any  
19 portion thereof, is returned to the Defendants except as provided for in the  
20 Stipulation, then this Judgment shall be rendered null and void to the extent provided  
21 by and in accordance with the Stipulation and shall be vacated and, in such event, all  
22 orders entered and releases delivered in connection herewith shall be null and void to  
23 the extent provided by and in accordance with the Stipulation.

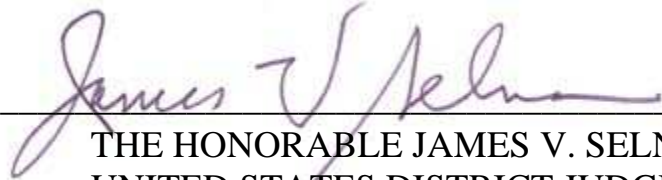
24 16. The Court hereby dismisses the Litigation and all Released Claims of  
25 the Settlement Class with prejudice, without costs as to any Settling Party. There is  
26 no reason for delay in the entry of this Final Judgment and Order of Dismissal with  
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1 prejudice and immediate entry by the Clerk of the Court is expressly directed  
2 pursuant to Rule 54 of the Federal Rules of Civil Procedure.

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IT IS SO ORDERED.

DATED: May 03, 2017

  
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THE HONORABLE JAMES V. SELNA  
UNITED STATES DISTRICT JUDGE

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