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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CRISTOBAL GARCIA, an individual, on behalf of himself and all others similarly situated,

Plaintiff,

v.

SCHLUMBERGER LIFT SOLUTIONS, et al.,

Defendants.

No. 1:18-cv-01261-DAD-JLT

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND GRANTING PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

(Doc. Nos. 53, 55)

This matter is before the court on plaintiff's unopposed motion for final approval of a class action settlement and for an award of attorneys' fees, costs, and incentive payments, filed on behalf of plaintiff Cristobal Garcia. (Doc. No. 53.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 24, 2020, the assigned magistrate judge issued findings and recommendations recommending that the proposed class be certified for settlement purposes and that the parties' class action settlement be approved as fair, reasonable, and adequate. (Doc. No. 55.) In addition, the magistrate judge recommended that plaintiff be awarded \$175,000.00 in attorneys' fees (representing one-third of the gross settlement fund of \$525,000.00); \$14,670.01 in litigation costs; \$2,500.00 as a representative incentive payment; and \$6,000.00 in claims administration costs for the settlement administrator, Simpluris, Inc. (*Id.* at 37.) The findings and

1 recommendations were served on all parties and contained notice that objections thereto were to
2 be filed within fourteen (14) days after service. (*Id.* at 38.) To date, no objections to the pending
3 findings and recommendations have been filed, and the time in which to do so has now passed.

4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
5 *de novo* review of the case. Having carefully reviewed the entire file, the court finds the findings
6 and recommendations to be supported by the record and proper analysis.

7 Accordingly,

- 8 1. The findings and recommendations issued on November 24, 2020 (Doc. No. 55)
9 are adopted in full;
- 10 2. Plaintiff's motion for final approval of the parties' class action settlement
11 agreement (Doc. No. 53) is granted, the settlement class is certified, and the court
12 approves the settlement as fair, reasonable, and adequate;
 - 13 a. The parties are directed to effectuate all terms of the settlement agreement
14 and any deadlines or procedures for distribution therein;
 - 15 b. Plaintiff shall receive \$2,500.00 as an incentive payment;
 - 16 c. Simpluris, Inc. shall receive \$6,000.00 in settlement administration costs
17 and expenses;
 - 18 d. Class counsel shall receive \$175,000.00 in attorneys' fees; and
 - 19 e. Class counsel shall receive \$14,670.01 in litigation expenses;
- 20 3. This action is dismissed with prejudice in accordance with the terms of the
21 settlement agreement, with the court specifically retaining jurisdiction over this
22 action for the purpose of enforcing the parties' settlement agreement; and
- 23 4. The Clerk of the Court is directed to close this case.

24 IT IS SO ORDERED.

25 Dated: December 14, 2020

26 
UNITED STATES DISTRICT JUDGE