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9 Attorneys for Plaintiffs **JOAN WILKENING,**
TARA MISSEL, CHRISTOPHER HUGHES,
10 **and SABRINA GRAHAM,**

individually, and on

11 behalf of all others similarly situated

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13 **UNITED STATES DISTRICT COURT**

14 **Eastern District of California**

15 **Sacramento Division**

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17 **JOAN WILKENING, TARA MISSEL,**
CHRISTOPHER HUGHES, and SABRINA
18 **GRAHAM** individually, and on behalf of all
others similarly situated,

19 Plaintiffs,

20 v.

21 **GAGS AND GAMES, INC.** doing business
as **HALLOWEEN CITY**, a Michigan
22 corporation,

23 Defendant.

CASE NO.: 2:11-cv-01802-JAM-DAD

ORDER GRANTING AWARD OF
ATTORNEYS' FEES AND COSTS

Date: August 21, 2013

Time: 9:30 a.m.

Judge: Hon. John A. Mendez

Courtroom: 6

Action Filed: July 8, 2011

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26 This matter comes before the Court on the Plaintiffs' Motion for Attorneys' Fees and
27 Costs was heard by the Court on August 21, 2013, at 9:30 a.m., in Courtroom Six, of the United
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1 States District Court, Eastern District of California, Sacramento Division, before the Honorable
2 John A. Mendez, pursuant to the noticed Motion for Award of Attorneys' Fees and Costs. The
3 proposed settlement in this case was preliminarily approved by this Court on May 16, 2013
4 (Docket No. 50). Pursuant to the Court's Preliminary Approval Order and the Notice provided
5 to the Class, the Court conducted a fairness hearing under Fed.R.Civ.P. 23(e) on August 21,
6 2013. The Court has reviewed the materials submitted by the parties, as well as the comments
7 and materials received from parties interested in the Settlement and has heard arguments
8 presented at such hearing. For the reasons cited on the record as well as those stated hereafter,
9 the Court finds and orders as follows:

10 1. The Court finds that notice of the requested award of attorneys' fees and
11 reimbursement of costs and expenses was directed to Class Members in a
12 reasonable manner, and complied with Rule 23(h)(1) of the Federal Rules of Civil
13 Procedure. Class Members and any party from whom payment is sought have
14 been given the opportunity to object pursuant to Rule 23(h)(2) of the Federal
15 Rules of Civil Procedure, and no Class Member has objected to the requested fees
16 or expenses.
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18 2. Class Counsel, having conferred a benefit on absent Class Members and having
19 expended efforts to secure a benefit to the Class, is entitled to a fee and
20 accordingly, the Court approves the application of Class Counsel, 1) Law Offices
21 of Sohnen & Kelly; and 2) Law Office of Mary-Alice Coleman in the total
22 amount of \$420,000.00, or 30 per cent of the cash portion of the common fund,
23 for their attorneys' fees and \$23,641.76 for their litigation expenses.
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25 3. The Court further approves and directs Simpluris, Inc., the appointed Claims
26 Administrator, within ten (10) calendar days of the Final Effective Date, (as that term is defined
27 in the Settlement Agreement, ¶1.i), to disburse to the Law Offices of Sohnen & Kelly and Law
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1 Office of Mary-Alice Coleman, jointly, the sums set forth above.

2 IT IS SO ORDERED.

3 Dated: August 21, 2013

4 /s/ John A. Mendez
5 Hon. John A. Mendez
6 Judge, U.S. District Court

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8 Approved as to form:

FOX ROTHSCHILD LLP

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10 Date: August 12, 2013

/s/Tyreen Torner
11 DAVID F. FAUSTMAN
12 TYREEN TORNER
13 Attorneys for Defendant
14 GAGS & GAMES, INC.

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