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[Counsel, continued on next page]

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA-SACRAMENTO**

TROY W. CRAYTHORN, on behalf of
himself and those similarly situated,

Plaintiffs,

vs.

WESTOWER COMMUNICATIONS, IN., a
Delaware corporation and DOES 1
through 100, inclusive,

Defendants.

Case No. 2:12-CV-01328-JAM-EFB

**ORDER GRANTING FINAL APPROVAL
OF CLASS ACTION SETTLEMENT AND
ENTERING JUDGMENT**

Date: April 8, 2015 (Wednesday)

Time: 9:30 a.m.

Dept: Courtroom 6

Judge: Hon. John A. Mendez

Filed: July 6, 2012

Trial date: None set

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Conditionally Certified Class

1 This matter came on for hearing on April 8, 2015 at 9:30 a.m., in Courtroom 6 of the
2 above-captioned Court on Plaintiff's Motion for Order Granting Final Approval of Class Action
3 Settlement, the Settlement Agreement and this Court's Order Granting Preliminary Approval of
4 Class Action Settlement filed December 5, 2014 [Docket 58]. In accordance with the preliminary
5 approval order, Class Members were given notice of the terms of the Settlement and the opportunity
6 to comment upon, request to be excluded or object to Settlement or any of its terms. Having
7 received and considered the proposed Settlement, the supporting papers filed by the Parties, and the
8 evidence and argument received by the Court in conjunction with the Motion for Order Granting
9 Preliminary Approval of Class Action Settlement, and the Motion for Order Granting Final
10 Approval, the Court grants final approval of the Settlement and **HEREBY ORDERS AND MAKES**
11 **THE FOLLOWING DETERMINATIONS:**

12 1. Pursuant to the Order Granting Preliminary Approval of Class Action Settlement,
13 a Notice of Class Action Settlement ("Notice"), Employment Information Sheet, and Change of
14 Address form, and pre-printed, postage paid return envelope were sent to each member of the
15 Class by first-class mail. The Notice informed the class of the terms of the Settlement, of their
16 right to receive their proportional share of the Settlement automatically, and without the need to
17 return a claim form, of their right to comment upon, request to be excluded from the Settlement or
18 object to the Settlement, and of their right to appear in person or by counsel at the time of the final
19 approval hearing to be heard regarding approval of the Settlement. Adequate periods of time were
20 provided by each of these procedures. In response, no Class Member requested to be excluded
21 from the Settlement, and no Class Member objected to the Settlement or stated an intention to
22 appear at the final approval hearing.

23 2. The Court finds and determines that this notice procedure afforded adequate
24 protections to Class Members and provides the basis for the Court to make an informed decision
25 regarding approval of the Settlement based on the response of the Class. The Court finds and
26 determines that the notice provided in this case was the best notice practicable, which satisfied the
27 requirements of law and due process.

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1 3. The Court further finds and determines that the terms of the Settlement are fair,
2 reasonable and adequate to the Class and to each Class Member and that the Settlement is ordered
3 finally approved, and that all terms and provisions of the Settlement should be and hereby are
4 ordered to be consummated.

5 4. The Court finds and determines that the Settlement payments to be paid to
6 participating members of the Class as provided for by the Settlement are fair and reasonable. The
7 Court hereby grants final approval to and orders the payment of those amounts be made to the
8 participating Class Members in accordance with the terms of the Settlement.

9 5. The Court finds that Class Counsel, having conferred a benefit on absent Class
10 Members and having expended efforts to secure a benefit to the Class, is entitled to a fee and
11 accordingly, the Court approves the application of Class Counsel, Law Offices of Cohelan
12 Khoury & Singer and Vaughan & Associates for \$342,000.00 for their attorneys' fees, and
13 \$16,282.46 for their litigation expenses.

14 6. The Court approves a Class Representative Service Payment in the sum of
15 \$5,000.00 to the named Plaintiff, Troy W. Craythorn as an enhancement for his initiation of this
16 action, work performed, the risks undertaken for the payment of costs had this case had an
17 unfavorable outcome, and for the substantial benefit to be received by the 280-member Class as a
18 result of his efforts.

19 7. The Court further approves payment of the fees and costs of the appointed claims
20 administrator, CPT Group, Inc., of \$12,000.00 for services rendered and to be rendered in
21 connection with the completion of its administrative duties pursuant to the Settlement.

22 8. Any Court Order regarding the application and award for the attorneys' fees,
23 litigation costs, and Class Representative Payments shall in no way disturb or affect the finality of
24 this Order and shall be considered separate from this Order.

25 9. Without affecting the finality of this order in any way, the Court retains
26 jurisdiction of all matters relating to the interpretation, administration, implementation,
27 effectuation and enforcement of this order and the Settlement.

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10. Nothing in this order shall preclude any action to enforce the Parties' obligations under the Settlement or under this Order, including the requirement that Defendant make payments to the participating Class Members in accordance with the Settlement.

11. The Court hereby enters final judgment in this case accordance with the terms of the Settlement, Order Granting Preliminary Approval of Class Action Settlement, and this Order.

12. The Parties are hereby ordered to comply with the terms of the Settlement.

13. The Parties shall bear their own costs and attorneys' fees except as otherwise provided by the Settlement Agreement and this Order Granting Class Counsels' attorneys' fees and reimbursement of litigation costs.

Dated: April 8, 2015

/s/ John A. Mendez
The Honorable John A. Mendez
Judge of the United States District Court
For The Eastern District of California