

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

EVERETT JEWETT, LEGAL SERVICES FOR PRISONERS WITH CHILDREN, GLEN HAROLD EVERETT, MICHAEL DONALD ACKLEY, HAROLD ROBERT MARQUETTE, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

SHASTA COUNTY SHERIFF'S DEPARTMENT, a public entity; TOM BOSENKO, as Sheriff of the Shasta County; SHASTA COUNTY, a public entity; and CALIFORNIA FORENSIC MEDICAL GROUP, INC. a private entity; and DOES 1 through 25, in their individual capacities,

Defendants.

Case No. 2:13-cv-0882 MCE AC (PC)

CLASS ACTION:

**ORDER APPROVING PLAINTIFFS' FEES AND EXPENSES IN CLASS ACTION**

Assigned to the Hon. Morrison C. England, Jr.  
Complaint filed: May 6, 2013

WHEREAS, on August 7, 2018, this Court approved the Class Action Settlement Agreement finding it to be fair, reasonable and adequate (ECF No. 161);

WHEREAS, pursuant to the Class Action Settlement Agreement, on April 11, 2018, Plaintiffs' filed their Motion for Award of Reasonable Attorneys' Fees and Expenses ("Motion") (ECF No. 135);

WHEREAS, on December 5, 2018, the Parties reached an agreement to fully resolve Plaintiffs' Motion for reasonable attorneys' fees and expenses in the Class Action from the inception of this matter through the date that the Settlement Agreement's term becomes effective in the amount of \$850,000.00 with payment due by January 31, 2019;

1 WHEREAS, Plaintiff's Motion remains submitted without oral argument before  
2 Honorable Magistrate Judge Claire (ECF No. 156);

3 WHEREAS, the Court has jurisdiction over the subject matter of this action, the Plaintiffs  
4 Everett Jewett, Legal Services for Prisoners with Children, Glen Harold Everett, and Michael  
5 Donald Ackley ("Plaintiffs"), Defendants Shasta County Sheriff's Department, a public entity,  
6 Tom Bosenko, as Sheriff of the Shasta County, Shasta County, a public entity ("Shasta County")  
7 and California Forensic Medical Group, Inc. ("CFMG") (collectively "the Parties"), and the Class  
8 Action Settlement Agreement;

9 WHEREAS, the Court has read and considered the Parties' Joint Stipulation Resolving  
10 Plaintiffs' Motion for an Award of Reasonable Attorneys' Fees and Expenses; Plaintiffs' Motion  
11 and all supporting and related documents; and finds an award of \$850,000.00, to be paid by  
12 January 31, 2019, in attorney fees and costs is reasonable to resolve Plaintiffs' Motion:

13 NOW, THEREFORE, IT IS HEREBY ORDERED:

- 14 1. The Court approves the Parties' settlement regarding attorneys' fees and expenses,  
15 finding that an award of \$850,000.00 to be paid by January 31, 2019, for Plaintiffs'  
16 attorneys' fees and expenses incurred from the inception of this matter through the  
17 date of final approval of this settlement term is reasonable and well supported by the  
18 points and authorities and evidence submitted in support of, and opposition to,  
19 Plaintiffs' Motion for an Award of Reasonable Attorney Fees and Expenses.
- 20 2. Payment in the amount of \$850,000.00 is due to Plaintiffs' counsel by January 31,  
21 2019.
- 22 3. The Court further finds that this amount is exclusive of fees provided for in the Class  
23 Action Settlement Agreement, including fees for monitoring that was previously  
24 approved by the Court (ECF No. 161) or attorneys' fees and costs as part of any  
25 resolution associated with Mr. Everett Jewett's individual claims.

26 ///

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

4. All members of the Settlement Class are bound by this Order.

IT IS SO ORDERED.

Dated: December 29, 2018



MORRISON C. ENGLAND, JR  
UNITED STATES DISTRICT JUDGE