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27 SANTOYO and the Employee and Housing Classes*

28 [Additional Counsel for Plaintiffs listed on next page]

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

**HERNAN GUZMAN-PADILLA,  
CIPRIANO BENITEZ, CARLOS  
FABIAN TORRES PEREZ, and  
GUILLERMO BENITEZ SANTOYO  
individually and on behalf of all others  
similarly situated.**

**Plaintiffs,**

vs.

**GERARD VAN DE POL; HENRY VAN  
DE POL; AND GERARD VAN DE POL  
AND HENRY VAN DE POL d/b/a/ G&H  
DAIRY**

**Defendant.**

Case No. 2:17-cv-00196-JAM-KJN

**~~PROPOSED~~ ORDER GRANTING  
PLAINTIFFS' MOTION FOR APPROVAL OF  
SERVICE AWARDS**

Date: October 12, 2017

Time: 10:00 am

Judge: Hon. Magistrate Judge Newman  
Courtroom 25, 8th Floor

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17 *SANTOYO and the Employee and Housing Classes*

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1 Plaintiffs’ Motion for Approval of Service Payments came on for hearing before this  
2 Court on October 12, 2017. Having considered the arguments and evidence, and for the reasons  
3 that follow, the Court hereby GRANTS Plaintiffs’ motion and awards class representative  
4 service payments of \$500 to each of the four Named Plaintiffs (Hernan Guzman-Padilla, Cipriano  
5 Benitez, Carlos Fabian Torres Perez, And Guillermo Benitez Santoyo), for a total of \$2,000, as is  
6 authorized under the terms of the ~~Proposed~~ Consent Decree. (Dkt. 28-5 at 16).

7 In the Ninth Circuit, it is typical to award a service payment to class representatives for their  
8 work as “private attorn[ies] general” in helping to prosecute a class action for the collective benefit  
9 of the class. *Rodriguez v. W. Publ’g Corp.*, 563 F.3d 948, 958-59 (9th Cir. 2009). In determining  
10 whether class representatives are entitled to reasonable service awards, courts consider all “relevant  
11 factors includ[ing] the actions the plaintiff has taken to protect the interests of the class, the degree to  
12 which the class has benefitted from those actions, . . . the amount of time and effort the plaintiff  
13 expended in pursuing the litigation . . . and reasonabl[e] fear[s of] workplace retaliation.” *Staton v.*  
14 *Boeing Co.*, 327 F.3d 938, 977 (9th Cir. 2003) (citation omitted).

15 Here, each of these factors weighs in favor of granting Plaintiffs’ motion. First, each of  
16 the four Named Plaintiffs took significant actions to protect the interests of the classes they  
17 represented, from which the class members benefitted as a whole. As detailed in the declarations  
18 submitted in support of Plaintiffs’ Motion, each Named Plaintiff spent numerous hours assisting  
19 in the prosecution and eventual settlement of this case, maintaining close contact with Class  
20 Counsel and providing valuable factual information and insight. Specifically, each Named  
21 Plaintiff participated actively in this litigation by, among other things, speaking with counsel in their  
22 initial investigation of potential claims, reviewing the draft complaint allegations, searching for and  
23 gathering documents, communicating with class members, participating in mediation strategy  
24 discussions, and reviewing proposed settlement terms. Named Plaintiffs’ efforts resulted in a  
25 ~~Proposed~~ Consent Decree that affords substantial monetary and injunctive relief.


26 For all these reasons, the Court finds that class representative service payments are justified  
27 in this action and that the amounts requested are reasonable under the circumstances. Accordingly,  
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the Court awards service payments of \$500 to each of the four Named Plaintiffs, for a total service payment award of \$2,000.

**IT IS SO ORDERED.**

Dated: October 13, 2017

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE