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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAUREN TARLECKI, et al., individually and
on behalf of a class of similarly situated
employees,

No. C 05-01777 MHP

Plaintiffs,

ORDER
**Re: Additional Submissions and Motion for
Final Approval of Settlement**

v.

BEBE STORES, INC.,

Defendant

Previous motions for final settlement approval and attorneys' fees having been denied without prejudice with orders to meet and confer and make file further submissions, the parties now have suggested a new agreement regarding the division of the fund set aside for attorneys' fees. The suggested terms provide for a \$290,000 fund to be divided between attorneys' fees and costs and a *cy pres* fund. Class counsel has suggested attorneys' fees of \$150,000, subject to a determination of reasonableness. The court is favorably disposed to the parties' suggestion. To give the court an opportunity to fully consider this new agreement, the parties are hereby ordered to submit the following additional materials, within thirty (30) days of the date of this order:

1. A written statement of the new terms of settlement describing with specificity (1) the total amount to be recovered by the 2,017 members of the class in either cash or in gift cards and (2) the

1 exact amount to be divided among attorneys' fees, plaintiffs' costs, incentives for named plaintiffs,
2 and a *cy pres* fund to be determined by the court;

3 2. Declarations of class counsel, certified under penalty of perjury, documenting in detail the
4 work performed by class counsel on behalf of the class, including, at a minimum, the following
5 information: (1) the identity of the billing attorney; (2) the hourly rate for that attorney at the time;
6 (3) a comparison with the rates billed by peer attorneys in the relevant market; (4) a description of
7 the task performed; and (5) number of hours devoted to the task. The court prefers contemporaneous
8 time records. If contemporaneous time records are not available, class counsel may attempt to
9 reconstruct such records by providing, at a minimum, the information listed above.

10 3. Declarations of class counsel, certified under penalty of perjury, documenting in detail the
11 costs incurred by the class in litigating this matter.

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13 Finally, the parties may introduce a fourth motion for final settlement approval and
14 attorneys' fees. The briefs, if any, shall be limited to issues not already addressed by previous
15 motions.

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17 IT IS SO ORDERED.

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22 Dated: August 3, 2009



MARILYN HALL PATEL
United States District Court Judge
Northern District of California