Garvey v. Kmart Corporation Doc. 446

United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LISA GARVEY and COLLETTE DELBRIDGE, individually and on behalf of others similarly situated,

Plaintiffs,

v.

KMART CORPORATION,

Defendant.

No. C 11-02575 WHA

ORDER RE SETTLEMENT ADMINISTRATION

Class counsel have certified that the terms of the class settlement have been carried out, save and except for distribution of $2,960.21 in uncashed funds and payment of the balance of class counsel's costs. Postcard reminders were sent to the class members who did not timely cash their checks (Hutton Decl. ¶ 4; Brokke Decl. ¶¶ 2–4, 6; Abrigo Decl. ¶ 5). For the uncashed funds, class counsel have proposed three potential *cy pres* organizations: Legal Aid Society Employment Law Center, Equal Rights Advocates, and the Animal Humane Society. No objections to the proposed *cy pres* organizations have been filed.

This order hereby **APPOINTS** the Legal Aid Society Employment Law Center as the *cy pres* recipient for the uncashed funds. Payment of the balance of class counsel's costs is hereby **APPROVED**. The December 4 hearing is **VACATED**. The file is **CLOSED**.

IT IS SO ORDERED.

Dated: November 5, 2014.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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