

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3
4 CRELENCIO CHAVEZ, et al.,

No. C 09-4812 CW

5 Plaintiffs,

ORDER ON MOTION
FOR FINAL APPROVAL

6 v.

7 LUMBER LIQUIDATORS, INC.,

8 Defendant.
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11 This Court's order for preliminary approval required
12 Plaintiff to move for entry of Order of Final Approval and
13 judgment "as outlined in Paragraphs 7.3.1 and 7.3.2 of the
14 Settlement" at least fourteen calendar days prior to the opt out
15 deadline. Docket No. 175 ¶ 9. Paragraph 7.3.1 of the Settlement
16 requires moving the Court for an order "approving Class Counsel's
17 application for an award of attorneys' fees and costs." The Ninth
18 Circuit requires the Court to ensure that the class has "an
19 adequate opportunity to review and prepare objections to class
20 counsel's completed fee motion." In re Mercury Interactive Corp.
21 Sec. Litig., 618 F.3d 988, 994-95 (9th Cir. 2010); see also In re
22 Online DVD-Rental Antitrust Litig., 779 F.3d 934, 954 (9th Cir.
23 2015) (holding that a fee motion filing deadline fifteen days
24 before the deadline for filing an objection satisfies this
25 requirement). Plaintiffs did not file timely their motion for
26 attorneys' fees and costs.

27 Plaintiffs must submit an amended motion for final approval
28 that contains each element of the motion as outlined in Paragraph

1 7.3.1, including its completed attorneys' fees motion, by Tuesday,
2 May 24, 2016. The claims administrator shall mail a new notice to
3 all class members stating that the attorneys' fees motion is due
4 on May 24, 2016, that class members may file objections to the
5 attorneys' fees motion, and that their objections are due within
6 twenty days of the date of the mailing of the notice. Plaintiffs'
7 counsel shall cover the claims administrator's costs that relate
8 to mailing this new notice.

9 IT IS SO ORDERED.



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11 Dated: May 19, 2016

12 CLAUDIA WILKEN
13 United States District Judge
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