

1 DON SPRINGMEYER
dspringmeyer@wrslawyers.com
2 BRADLEY SCHRAGER (Admitted *Pro Hac Vice*)
bschrager@wrslawyers.com
3 JUSTIN JONES (SBN 218217)
jjones@wrslawyers.com
4 WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP
3556 E. Russell Road, Second Floor
5 Las Vegas, Nevada 89120
Telephone: (702) 341-5200
6 Facsimile: (702) 341-5300

7 MATTHEW OSTER (SBN 190541)
moster@wrslawyers.com
8 ERIC LEVINRAD (SBN 169025)
elevinrad@wrslawyers.com
9 JOSHUA A. SHAPIRO (SBN 229741)
jshapiro@wrslawyers.com

10 RICARDO ROZEN (SBN 279151)
rrozen@wrslawyers.com
11 WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP
11400 West Olympic Boulevard, 9th Floor
12 Los Angeles, California 90064-1582
Telephone: (310) 478-4100
13 Facsimile: (310) 479-1422

14 *Attorneys for Plaintiffs*

15

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

18

19 HOLLY GEHL; CHRIS ARMENTA; et al.
each on behalf of himself/herself, and on
20 behalf of all others similarly situated,

21 Plaintiffs,

22 vs.

23 T-BIRD RESTAURANT GROUP, INC., a
24 California corporation; T-BIRD NEVADA,
LLC, a Nevada Limited Liability Company;
25 and DOES 1 through 100, Inclusive,

26 Defendants.

27

28

Case No. 4:13-cv-05961-KAW

[Judge Kandis A. Westmore]

**~~PROPOSED~~ ORDER GRANTING
MOTION FOR ATTORNEY'S FEES,
COSTS AND CLASS REPRESENTATIVE
AWARDS**

Date: April 7, 2015

Time: 11:00 a.m.

Ctrm: 4

Trial Date: None

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

Having considered Plaintiffs’ unopposed Motion for Attorney’s Fees, Costs and Class Representative Awards, and the parties’ arguments and evidence submitted in support of such motion, the Court grants such motion.

Accordingly, IT IS HEREBY ORDERED THAT:

1. Class counsel is awarded attorney’s fees in the amount of 35% of the Gross Settlement Fund, or \$1,256,500.00, pursuant to the Stipulation of Settlement filed July 14, 2015, as amended by the Amendment to Stipulation of Settlement filed on December 16, 2015 (“Settlement Agreement”). Following receipt of payment of the settlement funds by Defendants pursuant to the Settlement Agreement, the Settlement Administrator is ordered to disburse such attorney’s fees to Class Counsel within the time required by the Settlement Agreement.

2. In addition to the attorney’s fees set forth above, class counsel is awarded costs in the amount of \$96,349.65.¹ Following receipt of payment of the settlement funds by Defendants pursuant to the Settlement Agreement, the Settlement Administrator is ordered to disburse reimbursement for such costs to Class Counsel within the time required by the Settlement Agreement.

3. The Class Representatives, Holly Gehl, Chris Armenta, Trent Broadstreet, Alex Burroughs, Sara Ewart, Jamie Metter, Ramon Perez, Ryan Tyson, Bryan Hwee, Lauren Ruiz, Melchor Ruiz, Heather Buller, Faustino Reyes, Arnulfo Rodriguez, Kristen Loob, and Myla Smith, are each awarded class representative payments of \$3,500.00. Following receipt of payment of the settlement funds by Defendants pursuant to the Settlement Agreement, the Settlement Administrator is ordered to disburse such class

¹ In the context of depositions, a prevailing party may recover costs incurred for one original transcript and one copy. Since Plaintiffs chose to videotape all but one deposition, the Court deducted \$1141.70 based on the invoices submitted (Dkt. No. 159) for line items that appeared to address additional copies, including one rough draft.

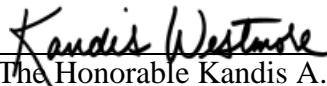
1 representative payments to each of the above-listed Class Representatives within the time
2 required by the Settlement Agreement .

3 IT IS SO ORDERED.

4 DATED: April 14, 2016

5

6



The Honorable Kandis A. Westmore
United States District Judge

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28