

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re T-Mobile Sidekick Litigation No. C 09-04854 JW

[PROPOSED]
ORDER APPROVING ATTORNEYS'
FEES AND COSTS AWARD

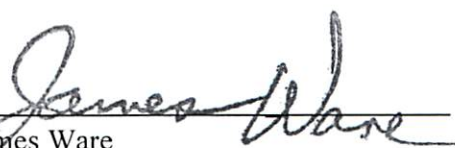
On March 28, 2011, the Court held a hearing to determine whether the proposed class action settlement in this case should be granted final approval and a judgment entered under the settlement. Following the Hearing, the Court entered an order approving the settlement as to the Class and the award of incentive payments to Class Representatives. The Court's Order stated that attorney fees and reimbursement of expenses would properly be addressed after April 18, 2011, the deadline for filing a claim. The Court directed the parties to file a Joint Statement updating the Court as to the number of claims that have been filed and whether Plaintiffs' request for fees and expenses is justified in light of those claims on or before April 21, 2011. The parties duly filed a Joint Statement on April 21, 2011.

Having reviewed the Joint Statement and having considered the oral and written presentations in support of approval of the attorneys' fees and costs of \$950,000.00, the Court now concludes that the fees and costs requested are reasonable. The Court is satisfied by counsel's answers to the Court's questions. The fees were negotiated after the class settlement was reached and it does not appear that there was any understanding as to the amount of fees that defendant would be willing to pay prior to the settlement on behalf of the class.

For the reasons stated, the Court approves and awards \$950,000.00 for fees and reimbursement of litigation costs.

IT IS SO ORDERED.

DATED: 08/03/11


Hon. James Ware
United States District Judge

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