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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

DAWN ZOERB, individually and on  
behalf of others similarly situated,  
  
Plaintiffs,  
  
v.  
  
LAW OFFICES OF PATENAUDE  
& FELIX, A.P.C., et al.,  
  
Defendants.

Case No. 14-cv-468-BAS (KSC)  
**ORDER GRANTING JOINT  
MOTION TO APPOINT SPECIAL  
MASTER**

[ECF 32]

Pending before the Court is the parties' joint motion to appoint the Honorable Herbert B. Hoffman, California Superior Court Judge (Ret.) as special master under Federal Rule of Civil Procedure 53. Having read and considered the moving papers, the good cause appearing, the Court **GRANTS** the motion (ECF 32) and order as follows:

- Judge Hoffman is hereby appointed as a Special Master in this case to oversee all settlement negotiations; including overseeing and assisting

1 the parties in crafting an appropriate class definition, class-action  
2 notice, and injunction. Judge Hoffman shall also assist the parties in  
3 negotiations regarding the appropriate class member relief and  
4 attorneys' fees.

- 5 • Judge Hoffman shall preside over all necessary settlement meetings and  
6 issue any necessary reports and recommendations to the Court  
7 regarding the proposed class settlement.
- 8 • Shortly after the Class Action Settlement Agreement is filed, and upon  
9 completion of any necessary settlement meetings, Judge Hoffman shall  
10 submit a report and recommendation to the Court regarding whether the  
11 Court should grant preliminary certification and approval per Fed. R.  
12 Civ. P. 23 to the agreed-upon class settlement.
- 13 • Judge Hoffman shall be paid his standard fee at the conclusion of this  
14 matter. The parties shall pay all fees incurred by Judge Hoffman. In  
15 conjunction with his accepted responsibilities, Judge Hoffman will be  
16 free to communicate ex parte with the Court, or with any party,  
17 regarding the settlement of this matter. As appropriate, a record of all  
18 hearing and evidence before Judge Hoffman shall be maintained, just  
19 as if the parties were in open court.

20 **IT IS SO ORDERED.**

21 Dated: June 23, 2015

22   
23 Hon. Cynthia Bashant  
24 United States District Judge