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21 **UNITED STATES DISTRICT COURT**

22 **DISTRICT OF NEVADA**

23 SHIGE TAKIGUCHI, et. al,
24 Individually and On Behalf of All
25 Others Similarity Situated,

26 Plaintiffs,

27 v.

28 MRI INTERNATIONAL, INC.,
EDWIN J. FUJINAGA, JUNZO
SUZUKI, PAUL MUSASHI
SUZUKI, LVT, INC., dba STERLING
ESCROW, and DOES 1-500,

Defendants.

Case No.: 2:13-cv-01183-HDM-NJK

**ORDER RE PAYMENT OF
ATTORNEYS FEES AND COSTS
INCURRED BY SUZUKI
ENTERPRISES, INC. PROFIT
SHARING PLAN DURING
APRIL 2017**

STIPULATION AND ORDER RE PAYMENT OF ATTORNEYS FEES INCURRED BY SUZUKI
ENTERPRISES, INC., PROFIT SHARING PLAN DURING APRIL 2017

1 WHEREAS Defendant Suzuki Enterprises, Inc. Profit Sharing Plan (the
2 “Plan”) and Plaintiffs are collectively referred to herein as the “Parties”;

3 WHEREAS on December 2, 2016, the Court issued its order [550] (“Order
4 re Fees”) approving the Stipulation re Payment of Attorneys’ Fees [549]
5 (“Stipulation re Fees”), providing a procedure for payment of legal fees and costs
6 from Plan funds that are presently subject to the preliminary injunction [183]
7 issued by this Court;

8 WHEREAS the Plan incurred legal fees and costs in April 2017, in the
9 amount of \$6,274.12, for coordinating global settlement discussions, negotiating
10 with Plaintiffs, communications with multiple counsel and Plan fiduciaries
11 regarding settlement issues, and preparing an Answer and Initial Disclosures on
12 behalf of the Plan;

13 WHEREAS such fees and costs are payable as follows:

- 14 • \$3,748.50 payable to Foundation Law Group, LLP, lead counsel for
15 the Plan, focusing on settlement discussions with Plaintiffs and
16 coordination of global settlement discussions; and
- 17 • \$2,525.62 payable to Enenstein Ribakoff LaViña & Pham, local
18 counsel for the Plan, focusing on document preparation;

19 WHEREAS the Plan’s invoices are attached hereto as Exhibit “A”;

20 WHEREAS the Parties have communicated a mutual desire to avoid the
21 necessity of a formal motion for attorneys’ fees through this Stipulation;

22 NOW, therefore, the Parties stipulate that:

- 23 1. Payment of the Plan’s legal fees and expenses for the month of April
24 2017, in the total amount of \$6,274.12, shall be made from the funds held
25 by LPL Financial for the benefit of the Plan with the specific breakdown
26 of this total amount below;
- 27 2. \$3,748.50 of the funds held by LPL Financial for the benefit of the Plan
28 shall be unfrozen and released from the preliminary injunction [183] and
paid to Foundation Law Group LLP;

- 1 3. \$2,525.62 of the funds held by LPL Financial for the benefit of the Plan
2 shall be unfrozen and released from the preliminary injunction [183] and
3 paid to Enenstein Ribakoff LaViña & Pham;
- 4 4. The remaining funds held by LPL Financial for the benefit of the Plan
5 shall remain frozen and subject to the preliminary injunction [183]
6 pending a further application for payment of attorneys' fees and
7 expenses; and
- 8 5. Payment of attorneys' fees and expenses for the month of April 2017 (per
9 items 2 and 3 above) shall be made from cash on hand that is held in the
10 name of the Plan.

11 DATED this 3rd day of May, 2017

DATED this 3rd day of May, 2017

12 **MANNING & KASS ELLROD**
13 **RAMIREZ, TRESTER LLP**

ENENSTEIN RIBAKOFF LAVIÑA
& PHAM

14 By: /s/ James E. Gibbons
15 Attorneys for Plaintiffs

By: /s/ Robert A. Rabbat
Attorneys for Suzuki Enterprises,
Inc., Profit Sharing Plan

16 DATED this 3rd day of May, 2017

DATED this 3rd day of May, 2017

17 **LAW OFFICES OF ROBERT W.**
18 **COHEN, A.P.C.**

FOUNDATION LAW GROUP LLP

19 By: /s/ Robert W. Cohen
20 Attorneys for Plaintiffs

By: /s/ Gregg D. Zucker
Attorneys for Suzuki Enterprises,
Inc., Profit Sharing Plan

21 **ORDER**

22 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

23 DATED this 8th day of May, 2017.

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