

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FREDERICK J. HILL, <i>individually and on</i>)	
<i>behalf of other similarly situated current</i>)	
<i>and former homeowners in Pennsylvania,</i>)	Civil Action No. 13-419
)	
Plaintiffs,)	
)	Judge Cathy Bissoon
v.)	Chief Magistrate Judge Cynthia Reed Eddy
)	
URDEN LAW OFFICES, P.C.,)	
)	
Defendant.)	

MEMORANDUM ORDER

This case has been referred to Chief Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On August 9, 2018, the parties’ filed a joint motion for preliminary approval of a settlement agreement. (Doc. 176.) Following a refusal by one of Plaintiffs’ counsel to mediate the issue of attorneys’ fees, Judge Eddy ordered the parties to brief the issue of fees in connection with settlement. (Docs. 187 and 190.) On November 30, 2018, some of Plaintiffs’ counsel¹ filed Petitioners Motion for Award of Attorneys’ Fees, Reimbursement of Expenses Advanced. (“Motion for Fees,” Doc. 215.) Defendant filed a Response in Opposition with a supporting brief on December 14, 2018. (Docs. 231, 232.)

¹ Plaintiffs’ counsel seeking fees in this Motion are: John C. Evans and Danielle R. Grunden of JC Evans Law, P.C.; Trent Echard of Echard Marquette; and Harry Kunselman of Strassburger McKenna Gurnick & Gefsky. (Doc. 215.) Plaintiffs’ other counsel, Michael Malakoff, objected to the order setting the briefing schedule and ultimately did not file a motion seeking fees. (See Doc. 209.)

On February 5, 2019, Judge Eddy issued a Report, (“R&R,” Doc. 259), recommending that Plaintiffs’ Motion for Fees be granted in part and denied in part. Defendant filed Objections to the R&R on February 19, 2019, (Doc. 266), and Plaintiffs filed a response to those Objections on March 5, 2019, (Doc. 288).

After a *de novo* review of the pleadings and documents in the case, together with the briefing on fees, the R&R, Objections to the R&R, and the Response to those Objections, the following Order is entered:

Plaintiffs’ Motion for Fees, (Doc. 215), is **GRANTED IN PART** and **DENIED IN PART**, and Judge Eddy’s R&R, (Doc. 259), hereby is **ADOPTED** as the Opinion of the District Court. The Court specifically notes, as Judge Eddy did, that any award of attorneys’ fees and costs is contingent upon Plaintiffs’ status as the prevailing party to this litigation and the approval of the parties’ Settlement Agreement. (R&R at 11 n.4.) Should the parties’ Settlement Agreement be approved, the class shall be given notice of amount of costs and fees determined by the Court,² so that any objections may properly be heard in connection with final settlement.

IT IS SO ORDERED.

March 30, 2020

s\Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record

² This amount, as detailed further in the R&R, is \$225,479,50 in reasonable attorneys’ fees and \$23,920.87 for costs, for a total of \$249,400.37. (R&R at 23.)