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13 *Attorneys for Plaintiffs and the Proposed Class*

14 **SUPERIOR COURT OF CALIFORNIA**
15 **COUNTY OF SAN FRANCISCO**
16 **UNLIMITED JURISDICTION**

17 SHELBY STEWART, CHARLETA
18 DABROWSKI, BENEDICT JOHNSON, and
KENYA MAYFIELD, on behalf of themselves
and all others similarly situated,

19 **Plaintiffs,**

20 v.

21 KAISER FOUNDATION HEALTH PLAN, INC.,
22 KAISER FOUNDATION HOSPITALS, THE
23 PERMANENTE MEDICAL GROUP, INC., and
24 SOUTHERN CALIFORNIA PERMANENTE
MEDICAL GROUP,

25 **Defendants.**

Case No. CGC-21-590966

**[PROPOSED] ORDER RE: PLAINTIFFS’
MOTION FOR ATTORNEYS’ FEES AND
COSTS AND CLASS REPRESENTATIVE
SERVICE AWARDS**

Complaint filed: April 22, 2021

1 Based on the papers filed with the Court and presentations made to the Court at the final
2 approval hearing, the Court hereby grants Plaintiffs' request for attorneys' fees, costs, and service
3 awards, and ORDERS as follows:

4 **I. APPROVAL OF ATTORNEYS' FEES, COSTS, AND NAMED PLAINTIFFS'**
5 **SERVICE AWARDS**

6 The Court has reviewed the terms of the proposed Settlement Agreement, including specifically
7 the injunctive and monetary relief provisions. The Court also reviewed the motion papers and
8 declarations of counsel, which describe Class Counsel's legal and factual investigation, and the
9 settlement process. Based on the substantial work and the result achieved, the Court finds approves
10 payment of attorneys' fees in the amount of \$3,451,427.70, or 30% of the settlement. This amount is
11 within the benchmark percentage regularly approved by this Court, and is therefore reasonable. The
12 Court also finds that the 2.38 multiplier is reasonable based on a lodestar crosscheck using Class
13 Counsel's regular billing rates.

14 The Court also finds that the over 2400 hours billed by Counsel, resulting in \$1,448,545.50 in
15 lodestar, is reasonable based on the work invested, including an extensive investigation, document
16 discovery, expert investigation, and rounds of settlement communications. The Court recognizes that
17 Class Counsel will continue to invest additional time monitoring the settlement without additional
18 compensation.

19 The Court approves Class Counsel's request for reimbursement of \$64,228.90 in costs from the
20 settlement, as these costs were reasonably expended in prosecuting the action.

21 Lastly, the Court finds reasonable, and therefore approves, payment of \$60,000 service awards to
22 Plaintiffs Dabrowski, Johnson, and Mayfield and \$75,000 for Lead Plaintiff Stewart for their service to
23 the class in securing this result. The Court recognizes the substantial time investment each Plaintiff
24 made in this effort, their willingness to incur reputational risks for the benefit of others, and the chance
25 that being a plaintiff in an employment lawsuit could harm their professional opportunities in the future.

26 **II. CONCLUSION**

27 It is therefore ORDERED that:

1 (a) Plaintiffs' request for payment of \$3,451,427.70 in attorneys' fees is APPROVED.

2 (b) Class Counsel's request for reimbursement of \$64,228.90 in costs from the settlement is
3 APPROVED.

4 (c) Payment of \$60,000 service awards to Plaintiffs Dabrowski, Johnson, and Mayfield and
5 \$75,000 for Lead Plaintiff Stewart is APPROVED.

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DATED

JUDGE ANDREW Y.S. CHENG