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12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA
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15 DEMETA REYES, individually and on
16 behalf of all others similarly situated,

17 Plaintiff,

18 vs.

19 EXPERIAN INFORMATION
20 SOLUTIONS, INC.,

21 Defendant.
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Case No. 8:16-cv-00563-SVW-AFM

Hon. Stephen V. Wilson

**ORDER GRANTING PLAINTIFF'S
MOTION FOR ATTORNEYS'
FEES AND SECOND
SETTLEMENT DISTRIBUTION**

1 Before the Court is Plaintiff's unopposed motion for attorneys' fees and second
2 settlement distribution. For good cause shown, the Court GRANTS the motion and orders
3 as follows:

4 1. On July 30, 2020, this Court entered an order granting final approval to a
5 proposed class action settlement in this matter and granting in part Plaintiff's motion for
6 attorney's fees and costs ([Dkt. 159](#)).

7 2. Following entry of the final approval order, the parties filed a stipulation
8 setting forth a proposal for making settlement distributions pending class counsel's appeal
9 of the attorneys' fee award and addressing the potentiality of a second distribution
10 following the appeal. ([Dkt. 160](#)). On August 27, 2020, the Court adopted the stipulation
11 and entered an order regarding initial settlement distribution ([Dkt. 161](#)).

12 3. The order provided that prior to the appeal of the attorneys' fee award,
13 Experian would fully fund the settlement fund in the amount of \$24,000,000, which would
14 satisfy its obligations under the Settlement. ([Dkt. 161](#), ¶ 1). The settlement administrator
15 would then issue settlement checks in the amount of approximately \$278 to more than
16 56,000 class members, which would result in equal distribution of the settlement fund to
17 all class members after payment is allocated for approved costs and expenses in the
18 amount of \$130,482.24, approved notice and settlement administration costs in the
19 amount of \$110,950, the approved service award payment of \$15,000, and less the amount
20 of attorneys' fees in controversy on appeal (\$8,000,000), which was to be held in escrow
21 pending resolution of the appeal. (*Id.*, ¶ 2).

22 4. The order further provided that following resolution of the appeal, all funds
23 not awarded for attorney's fees shall be distributed equally among class members in the
24 form of a settlement check issued within 30 days of the date of completion of all
25 proceedings arising out of the appeal. (*Id.*, ¶ 3). All costs associated with making a
26 subsequent distribution post-appeal, if any, shall be borne solely by Plaintiff's counsel
27 and not paid from the settlement fund. (*Id.*, ¶ 4).
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5. Following entry of this order, the Court-approved settlement administrator, Angeion Group, caused settlement checks in the amount of \$278.38 to be mailed to 56,553 class members. (Dkt. 167-2, ¶ 3). Due to rounding, \$343.62 was left undistributed and will be added to the second settlement distribution. *Id.*

6. On April 8, 2021, the U.S. Court of Appeals for the Ninth Circuit issued an opinion holding that Plaintiff's counsel was entitled to fees of no less than 25% of the \$24,000,000 fund. (Dkt. 165).

7. Following issuance of the Ninth Circuit's opinion, Plaintiff filed an unopposed motion seeking an attorneys' fee award of \$6,000,000, equaling 25% of the settlement fund, with the remaining \$2,000,000 held in escrow plus the previously undistributed \$343.63 to be distributed equally among the class. (Dkt. 167). Angeion has represented that the cost of the second settlement distribution will be \$65,618, which Plaintiff's counsel have agreed to deduct from their fee allocation. (Dkt. 167-2, ¶ 4).

8. Accordingly, the Court approves the following settlement distribution which shall be made within 30 days of the date of this order:

Amount	Recipient
\$5,934,382.00	Attorneys' fees (25% of the settlement fund less administration costs for second settlement distribution)
\$65,618.00	Administration costs for second settlement distribution
\$2,000,343.63	Amount distributed equally among 56,553 class members, resulting in individual payouts of \$35.37 per class member

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1 9. In accordance with the Settlement Agreement, the Court retains jurisdiction
2 for the limited purpose of effectuating a third settlement distribution in the event there are
3 remaining funds as the result of uncashed checks.
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6 **IT IS SO ORDERED.**

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8 Dated: May 4, 2021
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A handwritten signature in black ink, appearing to read "Stephen V. Wilson", written over a horizontal line.

10 Honorable Stephen V. Wilson
11 United States District Court Judge
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