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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ALAMEDA

CARL CORDELL, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

PATELCO CREDIT UNION and DOES 1 through 100, inclusive,

Defendants.

Case No.: 24CV082095

Assigned for All Purposes to the Hon. Patrick McKinney

Class Action

~~[PROPOSED]~~ ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

Hearing Date:	July 1, 2026
Time:	1:30 p.m.
Dept.	18
Complaint Filed:	July 2, 2024
Trial Date:	None

The Motion for Final Approval of Settlement filed by Carl Cordell on 06/04/2026 is Granted.

The motion of plaintiffs for final approval of class action settlement GRANTED. The motion of plaintiffs for approval of fees and costs is GRANTED IN PART.

APPROVAL OF THE SETTLEMENT

Plaintiffs filed this putative class action against Defendant Patelco Credit Union, asserting claims based on Defendant's alleged failure to properly secure personal identifying information.

The parties agreed to settle the claims for $7,250,000.00, which includes an attorney's fee award of up to $2,537,500; reimbursement of an unspecified amount in litigation costs; a service award of up to $2,500.00 for each representative plaintiff; and an estimated $158,000.00 (not to exceed $174,500.00) in settlement administration costs.

The motion makes an adequate analysis as required by *Kullar v. Foot Locker Retail, Inc.* (2008) 168 Cal.App.4th 116.

The proposed class notice form and procedure are adequate. One Settlement Class Member has objected and 21 timely opted out.

The proposed class is appropriate for class certification.

The terms of the settlement are reasonable. The Court has considered the objection of Kristin Williamson that the Settlement does not offer a large enough payment or meaningful long-term protection. (Cole Decl.) The Court finds the settlement to be reasonable and to reflect the strengths and weaknesses of the claims.

APPROVAL OF FEES, COSTS, AND SERVICE AWARD

"Because absent class members are not directly involved in the proceedings, oversight to ensure settlements are fair and untainted by conflict is the responsibility of both the class representative and the court." (*Mark v. Spencer* (2008) 166 Cal.App.4th 219, 227.)

"[T]horough judicial review of fee applications is required in all class action settlements and the fairness of the fees must be assessed independently of determining the fairness of the substantive settlement terms. (*Consumer Privacy Cases* (2009) 175 Cal.App.4th 545, 555-556.)

The court starts with its benchmark, then cross-checks with the lodestar, and makes

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adjustments if the benchmark is significantly different from the lodestar. (*Laffitte v. Robert Half Internat. Inc.* (2016) 1 Cal.5th 480, 505 ["If the multiplier calculated by means of a lodestar cross-check is extraordinarily high or low, the trial court should consider whether the percentage used should be adjusted"].)

The Ninth Circuit's benchmark is 25%. (Id. at p. 495.)

When using the percentage of recovery approach, this court's benchmark for fees is 30% of a total fund. Courts have benchmarks ranging from 25% to 33%. (Id.; *Schulz v. Jeppesen Sanderson, Inc.* (2018) 27 Cal.App.5th 1167, 1175; *Consumer Privacy Cases* (2009) 175 Cal.App.4th 545, 557 fn 13; *Chavez v. Netflix, Inc.* (2008) 162 Cal.App.4th 43, 66 fn 11.) The benchmark of 30% of $7,250,000 suggests fees of $2,175,000.

When cross-checking with the lodestar/multiplier, the court will evaluate the lodestar based on reasonable fees that would have been charged at hourly rates and then apply a multiplier. The multiplier includes contingent fee risk and other factors.

Counsel assert they spent approximately 1,918.2 hours on the case. This is reasonable. The court finds that a blended rate of $700 is appropriate for the case. (*Meridian Financial Services, Inc. v. Phan* (2021) 67 Cal.App.5th 657, 708-709 [blended rate]; *Espejo v. Copley Press, Inc.* (2017) 13 Cal.App.5th 329, 337 [blended rate]; *569 East County Boulevard LLC v. Backcountry Against the Dump, Inc.* (2016) 6 Cal.App.5th 426, 438-440 fn 14, fn 16 [blended rate].) Regarding the amount of the blended rate, the court considers the evidence and its own knowledge and familiarity with the legal market. (*Meridian Financial Services*, supra, 67 Cal.App.5th at p. 709.) The court takes judicial notice of the rates for counsel in the USAO Fitzpatrick Matrix on "Hourly Rates ($) for Legal Fees for Complex Federal Litigation in the District of Columbia." The court takes judicial notice of the Laffey matrix. (http://www.laffeymatrix.com/) The court gives little weight to the anecdotal fee awards of other trial judges. Counsel can selectively present fee awards that indicate the highest hourly billing rates.

This results in a lodestar of $1,342,740. The court applies a 1.2 multiplier for risk. This results in a multiplier adjusted lodestar of $1,611,299.

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Considering the percentage analysis fees of $2,175,000 and the multiplier adjusted lodestar fees of $1,611,299, the court will award fees of $2,175,000. This is the Court's benchmark. The Court does not find any facts that warrant a departure from its benchmark, either upwards or downwards. The award of fees is appropriate to compensate counsel in this case, to incentivize the prosecution of meritorious cases, and does not result in an unreasonable windfall to counsel at the expense of their clients.

The court approves costs of $58,897.66.

The court approves settlement administration costs of $279,021.50.

The court approves a service award of $2,500.00 for each representative plaintiff. Plaintiffs submitted declarations with evidence regarding the nature of participation in the action, including a description of specific actions and the amount to time committed to the prosecution of the case. (*Clark v. American Residential Services LLC* (2009) 175 Cal.App.4th 785, 804-807.)

ORDER

Plaintiffs' motion is GRANTED IN PART. ~~Plaintiffs must submit a revised proposed order and judgment within 3 days of notice of entry of this order~~.

Ten percent of the attorney's fee award must be kept in the administrator's trust fund until the completion of the distribution process and court approval of a final accounting. Unclaimed funds must not be distributed to the designated recipient until the court approves the accounting. Plaintiffs must file a final report and declaration regarding distribution at least 5 court days before the compliance hearing. Appearances may not be required if the report and declaration establish that the distributions are complete. The final compliance hearing regarding distribution and accounting is set for March 10, 2027, at 1:30 p.m. in Department 18.

IT IS SO ORDERED.

Dated: June 1, 2026

By: _____
Hon. Patrick McKinney
JUDGE OF THE SUPERIOR COURT

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