

The Honorable Marsha J. Pechman

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LEO GUY, RYAN TANNER, MAGALY  
GRANADOS, KERRY LAMONS, TAMMY  
RANO, VICKI WILL and JENNIFER WHITE,  
individually and on behalf of all others similarly  
situated,

Plaintiffs,

v.

CONVERGENT OUTSOURCING, INC.,

Defendant.

NO. 2:22-cv-01558-MJP

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' MOTION FOR  
ATTORNEYS' FEES, COSTS, AND  
SERVICE AWARDS**

This matter came before the Court on Plaintiffs' Motion for Attorneys' Fees, Costs, and Service Awards ("Fee Motion").

The Court, having previously entered an Order Granting Preliminary Approval of Class Action Settlement (Dkt. #63, "Preliminary Approval Order"), in which the Court preliminarily approved the proposed Settlement as being fair, reasonable, and adequate to the Settlement Class; preliminarily certified the Settlement Class; designated Class Representatives and Class Counsel; appointed a Settlement Administrator; approved the forms and methods of disseminating information about the Settlement and found them to constitute the best notice

1 practicable under the circumstances, constitute due and sufficient notice of the matters set forth  
2 in the notices to all persons entitled to receive such notices, and fully satisfy the requirements  
3 of due process, Rule 23 of the Federal Rules of Civil Procedure, 28 U.S.C. § 1715, and all other  
4 applicable laws and rules; established procedures for Class Members to make claims, opt out,  
5 or object to the Settlement and Attorney’s Fees and Costs; established deadlines for the filing  
6 of a motion for final approval of the Settlement and motion for attorneys’ fees, costs, and  
7 service awards; and scheduled a hearing for July 19, 2024, for the Court to determine whether  
8 Attorneys’ Fees and Costs should be awarded;

9 The Court having held a hearing on Plaintiffs’ Fee Motion on July 19, 2024, after notice  
10 to the Class, and the Court having fully considered Plaintiffs’ Fee Motion, as well as the  
11 declarations and submissions in support thereof, and all papers filed or submitted to the Court  
12 in connection with the proceedings in these actions, and good cause appearing therefor;

13 IT IS HEREBY FOUND, ORDERED, ADJUDGED, AND DECREED THAT:

14 1. All capitalized terms not otherwise defined have the meanings set forth in the  
15 Amended Settlement Agreement (Dkt. #62-1) (“Settlement”).

16 2. The Court has considered Class Counsel’s Fee Motion along with the  
17 declarations submitted by Counsel setting forth their time and expenses incurred in connection  
18 with this Litigation.

19 3. Pursuant to Rule 23, and relevant Ninth Circuit authority, the Court awards  
20 Class Counsel \$661,500 as an award of reasonable attorneys’ fees and costs to be paid in  
21 accordance with the Settlement. The Court finds this amount of fees fair and reasonable under  
22 the percentage of recovery method and under a lodestar cross-check, given the exceptional  
23 results obtained for the Settlement Class in the form of significant monetary relief; the  
24 complexity and novelty of the issues presented in the litigation; the risk of non-payment posed  
25 in the litigation; the contingent nature of the fee; and the skill of Class Counsel. The Court also  
26

1 finds the amount of costs and expenses is fair and reasonable, and represents the reasonable  
2 expenses incurred to advance this litigation.

3 4. The Court grants Settlement Class Counsel discretion to allocate the attorneys'  
4 fees, costs and expenses among all Plaintiffs' counsel.

5 5. This award of attorneys' fees, costs, and expenses, and any interest earned  
6 thereon, shall be paid in accordance with the Settlement. This award of attorneys' fees, costs,  
7 and expenses is independent of the Court's consideration of the fairness, reasonableness, and  
8 adequacy of the Settlement.

9 6. The Court grants Class Counsel's requested Service Awards of \$1,500 to each  
10 Plaintiff identified as Class Representative in the Court's Preliminary Approval Order. The  
11 Court finds that these Service Awards are justified by each Representative Plaintiffs' service to  
12 the Settlement Class. This Service Award shall be paid in accordance with the Settlement.

13 7. Without affecting the finality of this Order, the Court hereby reserves continuing  
14 and exclusive jurisdiction over all matters related to the administration and consummation of  
15 the terms of this Order.

16 8. The Court shall enter a judgment consistent with this Order.

17  
18  
19 IT IS SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

20  
21  
22 \_\_\_\_\_  
23 Hon. Marsha J. Pechman  
24 U.S. District Court Judge  
25  
26

1 Presented by:

2 **TOUSLEY BRAIN STEPHENS PLLC**

3 By: /s/Cecily C. Jordan

4 Jason T. Dennett, WSBA #30686

5 Cecily C. Jordan, WSBA #50061

6 1200 Fifth Avenue, Suite 1700

7 Seattle, WA 98101-3147

8 Tel: (206) 682-5600

9 Fax: (206) 682-2992

10 jdennett@tousley.com

11 cjordan@tousley.com

12 **MASON LLP**

13 Gary E. Mason (*admitted pro hac vice*)

14 Danielle L. Perry (*admitted pro hac vice*)

15 Lisa A. White (*admitted pro hac vice*)

16 5101 Wisconsin Avenue NW, Suite 305

17 Washington, DC 20016

18 Telephone: 202.429.2290

19 Facsimile: 202.429.2294

20 gmason@masonllp.com

21 dperry@masonllp.com

22 lwhite@masonllp.com

23 **MORGAN & MORGAN**

24 **COMPLEX LITIGATION GROUP**

25 Jean S. Martin (*admitted pro hac vice*)

26 Email: jeanmartin@ForThePeople.com

201 N. Franklin Street, 7th Floor

Tampa, Florida 33602

Telephone: (813) 559-4908

**MILBERG COLEMAN BRYSON**

**PHILLIPS GROSSMAN, PLLC**

Gary M. Klinger (*admitted pro hac vice*)

227 W. Monroe Street, Suite 2100

Chicago, IL 60606

Telephone: (202) 429-2290

gklinger@milberg.com

*Settlement Class Counsel*