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**FILED**

FEB 26 2003

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  

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DEPUTY CLERK

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**DEIDRE BROWN, LYNN CAIN,  
CHERYL GERALD, DEBRA JONES,  
DONNA KELSAY, ANNE M.Z.  
NOVOTNY, AND GLORIA SALAZAR, on  
behalf of themselves and all others similarly  
situated,**

Plaintiffs,

vs.

**SACRAMENTO REGIONAL TRANSIT  
DISTRICT,**

Defendant

)  
) Case No.: No. CIVS-98-1719 LKK/JFM

)  
) **ORDER GRANTING FINAL APPROVAL  
OF CLASS SETTLEMENT AND FINAL  
JUDGMENT**

)  
) [Fed. R. Civ. Proc. 23(e)]

203

1           On November 21, 2002, this Court granted preliminary approval of the proposed Consent  
2 Decree and Notice Plan in this action. Pursuant to the Notice Plan, the parties then provided  
3 notice to members of the class as well as to the Administrative Employees Association, to union  
4 bargaining agents, non-represented Sacramento Regional Transit District (“RT”) salaried  
5 employees, and to RT management employees.

6           On November 22, 2002, this Court joined as parties the Thierman Law Firm and  
7 Hoffman & Lazear, former Class Counsel, in order to adjudicate the apportionment of attorneys’  
8 fees and resolution of attorneys’ liens.

9           Two class members subsequently submitted objections to the Consent Decree. Catherine  
10 Kreutzer, a former RT employee, objected to the terms of the Consent Decree. She would  
11 include in the class definition those who have experienced a hostile work environment or  
12 discriminatory evaluation, would expand the class period to July 28, 1996 to the present and  
13 would change the distribution formula to calculate partial years of service pro rata to the day.  
14 The second, from Delaine D’Etchaverry, objected to a distribution of the Class Fund based upon  
15 years of service and expresses concern that she has additional claims that she may wish to pursue  
16 that would be released by the Decree. The Court also received two comments from class  
17 members, Katrina George and Luz Damain, in which they each describe the circumstances of  
18 gender discrimination that they allegedly experienced at RT.

19           On February 24, 2003, this Court held a final Fairness Hearing. Plaintiffs and the class  
20 were represented by Brad Seligman of The Impact Fund. Defendant RT was represented by  
21 Dorothy Landsberg, of Kronick, Moskovitz, Tiedemann & Girard. Former Class Counsel was  
22 represented by Mark Thierman of The Thierman Law Firm.

1           Having read and considered the written submissions of the parties, the objections to the  
2 Consent Decree, the arguments of counsel and any objections at the hearing, the Court makes the  
3 following findings:

- 4           1. Class members and interested parties received adequate notice and opportunity to  
5           object and be heard concerning the terms of the proposed Consent Decree;
- 6           2. The Consent Decree provides important prospective relief to the class;
- 7           3. The Consent Decree provides significant monetary compensation to the class;
- 8           4. The formula for distribution of the Class Monetary Fund is fair and reasonable and  
9           does not disadvantage any segment of the class;
- 10           5. The Named Plaintiffs have provided dedicated and well-informed representation to  
11           the class. The awards to the Named Plaintiffs under the Consent Decree in the  
12           amount of \$42,857 each are fair and appropriate in light of the difficult  
13           circumstances of the case, the time and effort that they gave to the case, and the  
14           benefits that they obtained for the class.
- 15           6. The provision for attorneys' fees for current and former class counsel in the amount  
16           of \$900,000 is appropriate in light of the benefits to the class and results obtained in  
17           this case.
- 18           7. I have read and considered the written objections of Catherine Kreutzer and Delaine  
19           D'Etcheverry and conclude that they do not raise any issues as to the fairness of the  
20           Consent Decree.
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In light of the foregoing findings, this Court concludes that the Consent Decree is fair, adequate, and reasonable under Fed. R. Civ. Proc. 23(e). Accordingly, the Consent Decree is finally approved. Final Judgment is hereby entered in this action.

Dated: 2/23/03

  
LAWRENCE K. KARLTON, Judge  
United States District Court

United States District Court  
for the  
Eastern District of California  
February 26, 2003

\* \* CERTIFICATE OF SERVICE \* \*

2:98-cv-01719

Brown

v.

Sacramento Regional

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on February 26, 2003, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

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Jack L. Wagner, Clerk

BY: *J. L. Wagner*  
Deputy Clerk