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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DANIEL A. GUTIERREZ, ET AL.,
PLAINTIFFS,
VS.
SCHMID INSULATION
CONTRACTORS, INC., ET AL.,
DEFENDANTS.

Case No. 2:08-cv-6010 DSF (JCx)

**ORDER: APPROVING ATTORNEYS'
FEES AND REIMBURSEMENT OF
COSTS AND EXPENSES**

Date: March 9, 2009
Time: 10:00a.m.
Place: Courtroom 840, Roybal Building
Hon. Dale S. Fischer

The Court having considered Class Counsel's Motion for Award of

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Attorneys' Fees and Reimbursement of Costs and Expenses, and the supporting declarations, and being familiar with this action, HEREBY FINDS AS FOLLOWS:

- 1. Notice of the requested award of attorneys' fees and reimbursement of costs and expenses was directed to Class Members in a reasonable manner, and complied with Rule 23(h)(1) of the Federal Rules of Civil Procedure;
- 2. Class Members and any party from whom payment is sought have been given the opportunity to object pursuant to Rule 23(h)(2) of the Federal Rules of Civil Procedure;
- 3. No class member has objected to the requested fees or expenses;
- 4. The attorneys' fees request for 25% of the settlement fund meets the Ninth Circuit's benchmark;
- 5. The attorneys' fees request, which is for less than Class Counsel's lodestar, is reasonable;
- 6. The costs and expenses incurred by Class Counsel are reasonable;
- 7. The requested award of \$2,125,000 in fees and up to \$140,000 in reimbursement for costs and expenses is fair and reasonable;

Accordingly, IT IS HEREBY ORDERED as follows:

Class Counsel are awarded attorneys' fees and costs and expenses in the amount of 25 percent of the common fund, or \$2,125,000, and up to \$140,000 in costs and expenses incurred.

Dated: 3/9/09

The Honorable Dale S. Fischer
United States District Judge