



FILED
San Francisco County Superior Court

OCT 31 2022

CLERK OF THE COURT

BY: R. Michael Diba
Deputy Clerk

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
DEPARTMENT 306

COORDINATION PROCEEDING SPECIAL
TITLE (Cal. R. Ct. 1550(b))

AUTOMOBILE ANTITRUST CASES I, II

JUDICIAL COUNCIL COORDINATION
PROCEEDING NOS. 4298 AND 4303

CJC-03-004298 and CJC-03-004303

This document relates to:
All Actions

ORDER GRANTING PLAINTIFFS'
MOTION FOR AWARD OF
ATTORNEYS' FEES, REIMBURSEMENT
OF EXPENSES, AND PAYMENT OF
SERVICE AWARDS

1 This matter came for hearing before the Court on October 5, 2022 and October 21, 2022 on
2 Plaintiffs' motion for an award of attorneys' fees, reimbursement of expenses, and payment of service
3 awards (the "Fee and Expense Application"). The Court, having considered all papers filed and
4 proceedings conducted herein, having found the Settlement reached in this Action with Ford Motor
5 Company of Canada, Ltd. ("Ford Canada") to be fair, reasonable and adequate, and otherwise being
6 fully informed and good cause appearing thereof;

7 NOW, THEREFORE, IT IS HEREBY ORDERED that:

- 8 1. All capitalized terms not otherwise defined herein have the same meaning as in the
9 Settlement Agreement with Ford Canada.¹
- 10 2. The Court has jurisdiction over the subject matter of this application and all matters
11 related thereto, including all members of the Class who have not timely and validly
12 requested exclusion from the litigation and the Class.
- 13 3. The Court hereby finds and concludes that due and adequate notice of these
14 proceedings was directed to all persons and entities who are Class Members advising
15 them of the Fee and Expense Application and of their right to object to thereto, and a
16 full and fair opportunity was accorded to persons and entities who are Class Members
17 to be heard with respect to the Fee and Expense Application.
- 18 4. The Court finds and concludes that notice of the Settlement Agreement was provided to
19 the Class in accordance with the Court's Order Preliminarily Approving Settlement
20 with Ford Canada dated June 23, 2022, including the forms of notice and methods of
21 notifying members of the Class that were approved by the Court. That notice was fair,
22 adequate, and sufficient, constituting the best practicable notice under the
23 circumstances, and was reasonably calculated to reach all or a substantial percentage of
24 the members of the Class and apprise them of this Action, the terms and conditions of
25

26 _____
27 ¹ The Settlement Agreement is attached as Exhibit A to the Declaration of Todd A. Seaver filed April 6,
2022.

1 the Settlement Agreement, and their right to opt out and be excluded from the Class and
2 the Settlement Agreement, or to object to the Settlement Agreement. The notice
3 provided fully satisfied all requirements of California Code of Civil Procedure Section
4 382, California Rules of Court, rules 3.766 and 3.769, all other applicable laws or rules
5 of the Court, and due process.

6 5. Two Settlement Class Members—Timothy R. and Troy S.—filed objections to the Fee
7 and Expense Application. After thoroughly considering these two objections and the
8 briefing and argument submitted by Plaintiffs as to these objections, the Court
9 overrules the objections of Timothy R. and Troy S.

10 6. Plaintiffs' Counsel's Motion is granted, and Plaintiffs' Counsel is hereby awarded from
11 the Settlement Fund:


- 12 i. Attorneys' fees in the amount of 33.3% of the gross Settlement Fund (\$82
13 million), or \$27,306,000, plus interest earned thereon for the same time
14 period and at the same rate as that earned on the gross Settlement Fund until
15 the fee is paid; and
- 16 ii. Litigation expenses in the reduced amount of \$1,293,971.39, which the
17 Court finds to be fair and reasonable.

18 7. The award of attorneys' fees and expenses shall be paid to Plaintiffs' Counsel from the
19 Settlement Fund in accordance with the terms of the Settlement Agreement, which
20 terms, conditions and obligations are incorporated herein.

21 8. Plaintiffs' Counsel's revised request for service awards is granted. Service of awards
22 of \$5,000 each are to be paid to (i) named Plaintiff Jason Gabelsberg; and (ii) named
23 Plaintiff W. Scott Young, for a total service award of \$10,000.

24
25 IT IS SO ORDERED.

26 Dated: October 31, 2022

27 
28 Anne-Christine Massullo
Judge of the Superior Court