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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

15 **COUNTY OF LOS ANGELES**

16 HOLLY WEDDING, et al,

Case No.: BC517444
[JCC Proceeding No. 4936]
[Hon. William F. Highberger]

17
18 Plaintiffs,

CLASS ACTION

19 v.

20 CALIFORNIA PUBLIC EMPLOYEES
21 RETIREMENT SYSTEM, et al.,

**[PROPOSED] ORDER
GRANTING AWARD OF
ATTORNEYS' FEES, COST
REIMBURSEMENT, INCENTIVE
AWARDS, AND APPROVAL OF
SETTLEMENT
ADMINISTRATION EXPENSES**

22 Defendants.
23

DATE: July 26, 2023
Time: 11:00 a.m.
Dept: SS 10

24
25
26 Complaint Filed: August 13, 2013
27 Trial Date: Not Set

1 The Motion For Attorneys' Fees, Cost Reimbursement, Incentive Awards, and Approval
2 of Settlement Administration Expenses came on for hearing before this Court, the Honorable
3 William F. Highberger, presiding, on July 26, 2023. The Court having considered all
4 submissions and arguments with respect to the Motion, the Court HEREBY ORDERS THE
5 FOLLOWING:

6 1. The Court has jurisdiction over the subject matter of this action, the Plaintiffs, the
7 Settlement Class as defined in the Second Class Action Settlement Agreement filed on February
8 27, 2023 as Exhibit 1 to the Declaration of Gretchen Nelson, (the "Second Settlement
9 Agreement" or "Second Settlement"), and the Defendants.

11 2. Pursuant to the Court's March 10, 2023 Order Granting Preliminary Approval of
12 Class Action Settlement, the Notice was sent to each Settlement Class Member by first-class
13 mail and by email to Settlement Class Members for whom email addresses were provided. The
14 Notice informed the Settlement Class Members regarding (i) the terms of the Settlement and
15 that CalPERS would pay an additional \$80 million to pay unreimbursed costs incurred by
16 Class Counsel in the prosecution of this matter, which were estimated to be no more than \$2.5
17 million; Service Awards to the Plaintiffs of no more than \$85,000 in total; Settlement
18 Administration Expenses for the Prior and Second Settlement, which were estimated to be \$5
19 million; and attorneys' fees of no more than \$73 million; (ii) their right to object or to elect not
20 to participate in the Settlement and pursue their own remedies; and (iii) their right to appear in
21 person or by counsel at the final approval hearing and be heard regarding approval of the
22 Settlement. Class Members filed written objections to the proposed Settlement as part of this
23 notice period or stated an intention to appear at the final approval hearing.

26 3. The Court finds and determines that this notice procedure afforded adequate
27 protections to the Settlement Class and provides the basis for the Court to make an informed

1 decision regarding the request for attorneys' fees, reimbursement of costs, settlement
2 administration expenses, and an incentive award for the Plaintiffs.

3 4. [The Court overrules objections raised by Settlement Class Members.]

4 5. The Court grants the motion and hereby awards \$72,129,336 in attorneys' fees to
5 Class Counsel, reimbursement of their costs in the amount of \$2,285,174.39, reimbursement of
6 \$5,500,488.89 in settlement administration costs to Epiq Class Action and Claims Solutions,
7 Inc., and an award in the amount of \$85,000 in total to the named Plaintiffs in incentive awards
8 (of this amount, Holly Wedding will receive \$35,000 and Eileen and Richard Lodyga will each
9 receive \$25,000). The foregoing shall be paid from the additional \$80 million paid by CalPERS
10 for the payment of fees, costs, expenses, and incentive awards. The payment of these fees, costs,
11 expenses, and awards will not reduce the payments due to Settlement Class Members.
12

13 6. Nothing in this Order will preclude any action to enforce the parties' obligations
14 under the Settlement or under this Order, including the requirement that CalPERS fund the
15 Settlement Account in accordance with the Settlement.
16

17 7. Without affecting the finality of this Order in any way, the Court retains
18 jurisdiction of all matters relating to the interpretation, administration, implementation,
19 effectuation and enforcement of this Order and the Settlement.
20

21 **IT IS SO ORDERED.**

22 Dated: _____, 2023

23 Honorable William F. Highberger
24 Judge of the Superior Court
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