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14 *Attorneys for Plaintiff and the Class*

15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN FRANCISCO DIVISION**

19 JOE S. YEARBY, on behalf of himself and all
20 others similarly situated,

21 Plaintiff,

22 v.

23 AMERICAN NATIONAL INSURANCE
COMPANY,

24 Defendant.

Case No. 3:20-cv-09222-EMC

**~~PROPOSED~~ ORDER GRANTING
PLAINTIFF'S MOTION FOR
ATTORNEYS' FEES,
REIMBURSEMENT OF LITIGATION
EXPENSES, AND SERVICE AWARD**

1 Before the Court is Plaintiff’s Motion for Attorneys’ Fees, Reimbursement of Litigation
2 Expenses, and Service Award, filed on August 25, 2023. On August 11, 2023, the Court entered an
3 order granting Plaintiff’s Motion for Preliminary Approval of Class Action Settlement
4 (“Preliminary Approval Order”). (Dkt. 89). Among other things, the Preliminary Approval Order
5 authorized Class Counsel to disseminate notice of the Settlement, the fairness hearing, and related
6 matters to the Class. Notice was provided to the Class pursuant to the Preliminary Approval Order,
7 and no objections to the Settlement, the plan of distribution, or the fee motion were received or
8 timely filed, and only two opt-out requests were received. The Court held a final fairness hearing
9 on November 2, 2023, at 1:30 pm.

10 The Court has considered Plaintiff’s Motion for Attorneys’ Fees, Reimbursement of
11 Litigation Expenses, and Service Award, the exhibits thereto, all papers filed in support of the
12 motion, oral argument presented at the fairness hearing, and the entire docket in this matter. Having
13 fully considered the matter, it is hereby ORDERED that:

14 1. The capitalized terms used herein shall have the meanings set forth in the Settlement
15 Agreement.

16 2. Class Counsel Susman Godfrey shall receive attorneys’ fees equal to \$1,250,000.00,
17 to be paid from the Final Settlement Fund created by the Settlement, plus a pro rata share of the
18 interest earned on the Final Settlement Fund at the same rate and for the same period as earned by
19 the Final Settlement Fund, to be paid out of the Final Settlement Fund.

20 3. Susman Godfrey shall be reimbursed \$182,413.25 in costs and expenses reasonably
21 incurred in the presentation and settlement of this litigation, to be paid out of the Final Settlement
22 Fund created by the Settlement.

23 4. The Settlement Administration Expenses through August 20, 2023 are \$9,137.73.
24 Under the terms of the Settlement Agreement, those costs are payable out of the Final Settlement
25 Fund. Any additional Settlement Administration Expenses may be paid out of the Final Settlement
26 Fund as they become due, not to exceed a total amount of \$62,520.

1 5. The Court shall entertain any supplemental application for reimbursement of
2 expenses incurred by Susman Godfrey on behalf of the Settlement Class.

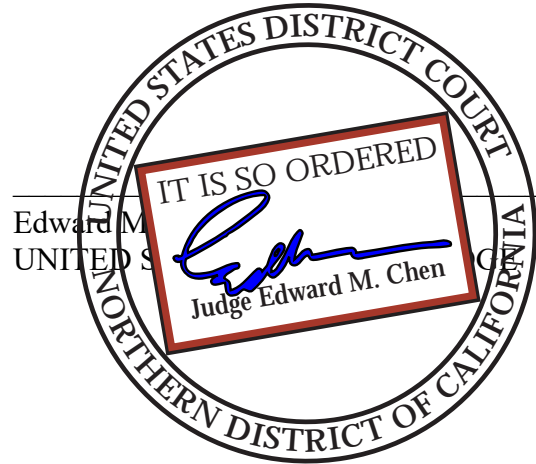
3 6. Plaintiff Joe S. Yearby shall be paid a service award equal to \$20,000, payable out
4 of the Final Settlement Fund.

5 7. This Order shall become effective immediately.

6 For the reasons set forth above, the Court **GRANTS** Plaintiff's motion.

7 **IT IS SO ORDERED.**

8 Dated: 11/3/2023



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