

GOLOMB SPIRT GRUNFELD, PC

By: Kenneth J. Grunfeld, Esq. (Atty. ID: 026091999)

Kevin W. Fay, Esq. (Atty. ID: 005692010)

1835 Market Street, Suite 2900

Philadelphia, PA 19103

(215) 985-9177

Attorneys for Plaintiff and the Class

VICTOR MATEO, on behalf of himself
and all others similarly situated,

Plaintiff,

vs.

SERVICE EMPLOYEES
INTERNATIONAL UNION, LOCAL
32BJ.

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

DOCKET NO. BER-L-004121-22

CIVIL ACTION

**ORDER AWARDING ATTORNEYS'
FEES AND LITIGATION COSTS AND
EXPENSES AND A SERVICE AWARD
(Order 2 of 2)**

THIS MATTER having been brought before the Court on Plaintiff's Motion for Application for Attorneys' Fees, Litigation Costs and Expenses and a Service Award; and the Court having considered all of the terms and conditions of the Settlement Agreement and all of the matters submitted at the Preliminary Approval hearing; and it appearing that notice substantially in the form approved by the Court was mailed to all Settlement Class Members who or which could be identified with reasonable effort; and no opposition having been received, and the Court having addressed the matter on the record on July 13, 2023, and the Court having requested, received, and reviewed in camera additional information to consider what a lodestar-based award might have been, for purpose of cross-checking the requested award, and the Court having considered and determined the fairness and reasonableness of the award of attorneys' fees, litigation costs and expenses and a service award requested, and good cause having been found,

NOW THEREFORE, IT IS HEREBY on this 14th day of July, 2023, ORDERED THAT:

1. This Order incorporates by reference the definitions in the Settlement Agreement entered into between the Parties on or about February 2, 2023, and all terms not otherwise defined herein shall have the same meanings as set forth in the Settlement Agreement;

2. This Court has jurisdiction to enter this Order and over the subject matter of the Litigation and all Parties to the Litigation, including all Settlement Class Members;

3. Notice of Plaintiff's Motion for Application for Attorneys' Fees and Litigation Costs and Expenses and a Service Award was given to all Settlement Class Members who or which could be identified with reasonable effort. The form and method of notifying the Settlement Class Members of the motion for attorneys' fees and litigation expenses satisfied the requirements of New Jersey Court Rule 4:32, due process, and all other applicable laws and rules, constituted the best notice practicable under the circumstances, and constituted due and sufficient notice to all persons and entities entitled thereto.

4. Class Counsel is hereby awarded attorneys' fees and costs in the total amount of \$183,333.33, which represents one-third of the maximum total settlement compensation, which the Court finds to be fair and reasonable.

5. In approving this award of attorneys' fees and payment of expenses to Class Counsel, the Court has considered and found that:

A. Class Counsel conducted the litigation and achieved the Settlement with skill, perseverance, and diligent advocacy;

B. The Litigation raised a number of complex issues;

C. Had Class Counsel not achieved the Settlement, there would remain significant risk that Plaintiff and the other Settlement Class Members may have recovered less or nothing from Defendant;

D. As of the date the Motion was filed, Plaintiff's Counsel's time records reflect counsel and paraprofessional staff devoted more than 321 hours to this matter, with a lodestar value of approximately \$174,415.00, to achieve the Settlement;

E. Class Counsel's out-of-pocket litigation expenses were \$4,153.42; and,

E. The amount of attorneys' fees and expenses awarded are fair and reasonable and consistent with awards in similar cases.

6. Plaintiff Victor Mateo is hereby awarded \$1,500.00 as a Service Award to be paid consistent with the Settlement Agreement.

7. Any appeal or any challenge affecting this Court's approval regarding attorneys' fees and expenses shall in no way disturb or affect the finality of the Judgment.

8. Exclusive jurisdiction is hereby retained over the Parties and the Settlement Class Members for all matters relating to this Litigation, including the administration, interpretation, effectuation or enforcement of the Settlement Agreement and this Order.

SO ORDERED this 14th day of July, 2023



The Honorable Mary F. Thurber, J.S.C.

Unopposed

Opposed