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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**IN RE RESISTORS ANTITRUST  
LITIGATION**

**Case No. 3:15-cv-03820-JD**

**THIS DOCUMENT RELATES TO:  
  
ALL INDIRECT PURCHASER  
PLAINTIFF ACTIONS**

**~~[PROPOSED]~~ ORDER GRANTING  
INDIRECT PURCHASER PLAINTIFFS'  
MOTION FOR AWARD OF ATTORNEYS'  
FEES; REIMBURSEMENT OF  
EXPENSES; AND CLASS  
REPRESENTATIVE SERVICE AWARDS**

1 This order resolves Indirect Purchaser Plaintiffs' Motion for an Award of Attorneys' Fees,  
2 Reimbursement of Expenses, and Class Representative Service Awards ("Motion"). Dkt. No. 548.  
3 The Motion requests an award of attorneys' fees in the amount of \$8,350,000 (25% of the  
4 \$33,400,000 Settlement Fund), as well as reimbursement of out-of-pocket litigation costs and  
5 expenses in the amount of \$1,437,576.88.

6 1. The Court finds Class Counsel's requested attorney fee award of \$8,350,000 -- 25%  
7 of the Settlement Fund -- is fair and reasonable under the percentage-of-the-recovery method based  
8 upon the following factors: (1) the results obtained by Lead Counsel in this case; (2) the risks and  
9 complex issues involved in this case; (3) that the attorneys' fees requested were entirely contingent  
10 upon success; (4) the range of awards made in similar cases; and (5) that the Class Members have  
11 been notified of the requested attorneys' fees and had an opportunity to inform the Court of any  
12 concerns they have with the request. As such, the Court finds that the requested fee award comports  
13 with the applicable law and is justified by the circumstances of this case.

14 2. The Court has confirmed the reasonableness of IPPs' fee request by conducting a  
15 lodestar cross-check. The Court finds that the 33,818.65 hours worked by counsel were reasonable  
16 and necessary. The Court further finds that Lead Counsel's reasonable lodestar for the entirety of the  
17 case was \$11,480,920 based on historic hourly rates, and that such rates were reasonable. Counsel  
18 for IPPs' requested fee award represents less than 73% of their reasonable lodestar, a negative  
19 multiplier. This further supports the reasonableness of Class Counsel for IPPs' attorney fee request.

20 3. The Court finds that counsel for IPPs incurred a total of \$1,437,576.88 in unreimbursed  
21 litigation costs and expenses in prosecuting this litigation. The Court finds that these costs and  
22 expenses were reasonably incurred in the ordinary course of prosecuting this case and were  
23 necessary given the complex nature and worldwide scope of the case. The Court hereby awards  
24 reimbursement of litigation expenses in the cumulative amount of \$1,437,576.88.

25 4. The Court also finds that service awards in the amount of \$500 each for the eight Class  
26 Representatives are fair and reasonable in light of the efforts they undertook on behalf of the Class,  
27 which included efforts assisting IPP counsel in pre-filing negotiations, continued contact with and  
28 updates from IPP counsel over nearly four years of litigation, and responding to substantive written

1 discovery requests, as detailed in the Declaration of Adam J. Zapala. The Court hereby grants  
2 service awards of \$500 each to the eight Class Representatives: Linkitz Systems, Inc., Microsystems  
3 Development Technologies, Inc., Nebraska Dynamics, Inc., MakersLED LLC, Top Floor Home  
4 Improvements, Angstrom, Inc., In Home Tech Solutions, Inc., and Anthony Sakal.

5 5. In sum, upon consideration of the Motion and accompanying Declarations, and based  
6 upon all matters of record including the pleadings and papers filed in this action, the Court hereby  
7 finds that the attorneys' fees requested are fair and reasonable; and the costs and expenses incurred  
8 by Class Counsel for IPPs were necessary, reasonable, and appropriate.

9 Accordingly, it is hereby **ORDERED** that:

10 1. Counsel for IPPs are awarded attorneys' fees of \$8,350,000 (25% of the \$33,400,000  
11 Settlement Fund), together with a proportional share of interest earned on the Settlement Fund for the  
12 same time period and at the same rate as that earned on the Settlement Fund until dispersed to  
13 counsel for IPPs. However, as discussed at the hearing, only 75% of the \$8,350,000 award (*i.e.*,  
14 \$6,262,500) is awarded to counsel at this time. The remaining 25% (*i.e.*, \$2,087,500) will be  
15 withheld pending further order of the Court, to be issued after counsel have filed the Post-Distribution  
16 Accounting required by the N.D. Cal. Procedural Guidance for Class Action Settlement.

17 2. Counsel for IPPs are awarded reimbursement of their litigation costs and expenses in  
18 the amount of \$1,437,576.88.

19 3. The eight Class Representatives are awarded service awards in the amount of \$500  
20 each. IPPs' counsel are directed to disburse those awards to the Class Representatives.

21 4. This order shall be entered of this date pursuant to Rule 54(b) of the Federal Rules of  
22 Civil Procedure, the Court finding that there is no just reason for delay.

23 **IT IS SO ORDERED.**

24  
25 Dated: March 24, 2020

  
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HON. JAMES DONATO  
UNITED STATES DISTRICT JUDGE