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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JUSTIN LYTLE and CHRISTINE
MUSTHALER,

Plaintiffs,

vs.

NUTRAMAX LABORATORIES,
INC. and NUTRAMAX
LABORATORIES VETERINARY
SCIENCES, INC.,

Defendants.

Case No.: 5:19-cv-00835-FMO (SPx)

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES, COSTS AND
CLASS REPRESENTATIVE
SERVICE AWARDS**

Judge: Hon. Fernando M. Olguin

Date: August 13, 2026

Time: 10:00 a.m.

Courtroom: 6D, 6th Floor

1 **[PROPOSED] ORDER**

2 On April 23, 2026, Plaintiffs filed a Motion for Attorneys’ Fees, Costs and
3 Class Representative Service Awards. ECF No. 219. Having considered the
4 Motion, the memorandum of law, the accompanying attorney declarations and all
5 accompanying exhibits, the briefs in this matter, and the oral argument presented
6 at the hearing, the Court finds and orders as follows:

7 A. Attorneys’ Fees:

8 Federal Rule of Civil Procedures provides that, “[i]n a certified class action,
9 the court may award reasonable attorney’s fees and nontaxable costs that are
10 authorized by law or by the parties’ agreement.” Fed. R. Civ. P. 23(h). Attorney’s
11 fees in class actions are determined “using either the lodestar method or the
12 percentage-of-recovery method.” *In re Hyundai & Kia Fuel Economy Litig.*, 926
13 F.3d 539, 570 (9th Cir. 2019). The court’s discretion in choosing between these
14 two methods “must be exercised so as to achieve a reasonable result.” *In re*
15 *Bluetooth Headset Prods. Liab. Litig.*, 654 F.3d 935, 942 (9th Cir. 2011). The
16 Court finds that the percentage-of-recovery method is appropriate because the
17 Settlement included a common fund. *See id.* at 942. However, the Court will also
18 perform a lodestar cross-check to further “evaluat[e] the reasonableness of the
19 instant attorneys’ fees request.” *Spann v. J.C. Penny Corp.*, 211 F.Supp.3d 1244,
20 1265-65 (C.D. Cal. 2016).

21 Under the percentage-of-recovery method, the “court simply awards the
22 attorneys a percentage of the fund sufficient to provide class counsel with a
23 reasonable fee, using 25% as a benchmark.” *In re Hyundai*, 926 F.3d at 570
24 (internal quotation marks omitted). In determining whether to depart from the 25%
25 benchmark, courts consider “all of the circumstances of the case[,]” including: (1)
26 the results achieved for the class; (2) the risk of litigation; (3) the skill required and
27 quality of the work; (4) the contingent nature of the fee; and (5) awards in similar

1 cases. *See Hogue v. Verizon Bus. Network Services, LLC*, No. 22-0852, 2024 WL
2 6888665, at *6 (C.D. Cal. June 10, 2024); *see also Vizcaino v. Microsoft Corp.*,
3 290 F.3d 1043, 1048-50 (9th Cir. 2002). Here, Class Counsel requests
4 \$3,409,054.03 in attorneys’ fees. Compared to the \$11,500,000 common fund
5 established by the Settlement, this represents 29.64% of the total recovery. Class
6 Counsel has performed substantial work in this litigation, which has lasted nearly
7 seven years as of the date of Plaintiffs’ Motion. Through their work, Class Counsel
8 achieved a significant recovery for the Class, providing meaningful relief to Class
9 Members. Moreover, throughout this case, Class Counsel has borne the significant
10 risk of a potentially unfavorable result. Accordingly, the Court finds that Class
11 Counsel’s request, which represents 29.64% of the common fund, is a reasonable
12 fee award.

13 Under the lodestar method, the court multiplies the number of reasonable
14 hours expended by a reasonable hourly rate. *See In re Hyundai*, 926 F.3d at 570.
15 Once the lodestar has been calculated, the court may “adjust the resulting figure
16 upward or downward to account for various factors, including the quality of the
17 representation, the benefit obtained for the class, the complexity and novelty of the
18 issues presented, and the risk of nonpayment[.]” *Id.* (internal citation omitted). As
19 noted, Class Counsel has requested \$3,409,054.03 in attorneys’ fees. Class Counsel
20 provided a detailed breakdown of their firms’ total hours expended and lodestar
21 accrued through their work in this litigation. Here, Class Counsel spent a total of
22 4,040.5 hours litigating this case. Given the significant work performed, which
23 included substantial motions practice, lengthy discovery, and a successful appeal,
24 the Court finds that Class Counsel’s 4,040.5 total hours were reasonably expended.
25 The Court also finds that Class Counsel’s billing rates are reasonable. Lastly, Class
26 Counsel’s lodestar totals \$4,299,506.43. When compared to their \$3,409,054.03
27 fee request, this results in a 0.81—or “negative”—multiplier. *See Pacheco v. Ford*

1 *Motor Co.*, No. 2:18-cv-09006, 2022 WL 845108, at *6 n.1 (C.D. Cal. Mar. 22,
2 2022). This is well within the range of reasonable multipliers that have been
3 approved previously. *See, e.g., Herrera v. Cnty. of Los Angeles*, No. CV 22-1013-
4 HDV-PDX, 2026 WL 507909, at *3 (C.D. Cal. Feb. 23, 2026) (“The expected
5 multiplier here of somewhat above 4.0 is reasonable given the outstanding results
6 in a difficult and challenging case.”); *Hopkins v. Stryker Sales Corp.*, No. 11-CV-
7 02786-LHK, 2013 WL 496358, at *4 (N.D. Cal. Feb. 6, 2013) (“Multipliers of 1
8 to 4 are commonly found to be appropriate in complex class action cases.”).

9 The Court finds that Class Counsel’s request of \$3,409,054.03 in attorneys’
10 fees is reasonable under the percentage-of-recovery method and when applying a
11 lodestar cross-check. Thus, the Court GRANTS Class Counsel’s request for
12 attorneys’ fees in the amount of \$3,409,054.03.

13 B. Costs:

14 Class Counsel also seek \$385,945.97 in costs. Class Counsel’s costs
15 included litigation expenses that would typically be billed to paying clients. These
16 costs included expert fee, document retrieval and document production
17 management fees, court reporting and transcript services, mediation expenses,
18 court fees, and fees related to third party subpoenas. The Court finds that these
19 costs were reasonably incurred over the course of this litigation.

20 Accordingly, the Court GRANTS Class Counsel’s request for costs in the
21 amount of \$385,945.97

22 C. Class Representative Service Awards:

23 “[N]amed plaintiffs, as opposed to designated class members who are not
24 named plaintiffs, are eligible for reasonable incentive payments.” *Staton v. Boeing*
25 *Co.*, 327 F.3d 938, 977 (9th Cir. 2003). Class Counsel has requested a \$7,500
26 service award for each of the named plaintiffs, totaling \$15,000. The Court
27 previously granted preliminary approval of the Settlement. ECF No. 218. In that
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order, the Court considered the fairness and adequacy of the service award. The Court held that “Plaintiffs ‘played a vital role’ throughout this case.” *Id.* at 11. “Under the circumstances, the court f[ound] that the requested incentive payments are reasonable.” *Id.* The Court maintains this holding now.

The Court therefore GRANTS service awards to the named Plaintiffs in the amount of \$7,500 each, or \$15,000 in total.

IT IS SO ORDERED.

DATED: _____

HON. FERNANDO M. OLGUIN
UNITED STATES DISTRICT JUDGE