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United States District Court
Central District of California
Western Division

ATUL SINGH DEORA, *et al.*,
Plaintiffs,
v.
NANTHEALTH, INC., *et al.*,
Defendants.

CV 17-01825 TJH (MRWx)

Order
[119]
JS-6

The Court has considered Plaintiffs’ motion for final approval of the class action settlement, together with the moving and opposing papers and supplemental briefs.

On July 30, 2019, the Court granted the Southern Pennsylvania Transit Authority’s [“the Transit Authority”] motion for class certification in this securities fraud class action. On January 31, 2020, the Court granted the Transit Authority’s unopposed motion for preliminary approval of the class action settlement.

On March 23, 2020, the Transit Authority moved for final approval of the class action settlement. The proposed class action settlement calls for a \$16,500,000.00 common fund to be distributed as follows: (1) \$4,125,000.00, or 25% of the settlement fund, for attorneys’ fees; (2) \$349,073.67 for costs; (3) \$25,000.00 as a “compensatory

1 award” for the Transit Authority as lead plaintiff; and (4) A *pro rata* distribution of the
2 remainder of the common fund to the class members. On July 17, 2020, the Court
3 found that the amount of attorneys’ fees to be reasonable and the proposed *pro rata*
4 distribution of the settlement fund to be fair and adequate. However, the Court reduced
5 the Transit Authority’s compensatory award to \$5,000.00 and found that it could not
6 determine the reasonableness of the requested costs because the Transit Authority failed
7 to, *inter alia*, provide documentation or other substantiation for the costs requested
8 other than vague declarations. Accordingly, the Court ordered the Transit Authority
9 to file supplemental declarations and evidence to substantiate its requested costs.

10 The Transit Authority has, now, filed those supplemental declarations and
11 evidence.

12 The Transit Authority has withdrawn its request for \$1,869.67 worth of costs
13 because it did not have documentation to support the request. Accordingly, the Transit
14 Authority, now, seeks to recover \$347,204.00 in costs.

15 The Transit Authority’s supplemental declarations adequately broke down each
16 category of its requested costs into individual transactions and provided documentation
17 and explanations in support thereof. However, the Court will not award requested
18 costs for the \$800.00 incurred for *pro hac vice* fees or for the \$1,571.44 incurred as
19 meal costs, including: (1) The \$38.13 room service charge included in the February 5,
20 2019, lodging cost; and (2) The two \$29.97 room service charges included in the
21 August 26 2019, to August 28, 2019, lodging cost. The Court finds that the remaining
22 costs are reasonable.

23 Thus, the Court will award \$344,832.56, in costs.

24
25 Accordingly,

26
27 **It is Ordered** that the motion for final approval of the class action settlement
28 be, and hereby is, **Granted**.

