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**FILED**  
Superior Court of California  
County of Los Angeles

06/14/2024

David W. Slayton, Executive Officer / Clerk of Court

By:                     M. Fregoso                     Deputy

5 Attorneys for Plaintiffs Xin Chen and Brian Chiang  
and the Class and Subclasses  
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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF LOS ANGELES**

10 XIN CHEN, an individual; and BRIAN  
11 CHIANG, an individual; individually and on  
behalf of all others similarly situated;

12 Plaintiffs,

13 vs.

14 GHP MANAGEMENT CORPORATION, a  
15 California corporation, *et al.*

16 Defendants.

**Case No.: BC 713402**

(Consolidated Case No. 19 STCV 03883)

*Assigned for All Purposes to:*  
The Hon. Elihu M. Berle, Dept. 6

~~PROPOSED~~ **FINAL APPROVAL ORDER**

Date: May 29, 2024

Time: 9:00 a.m.

Dept.: 6 (Spring Street)

Action Filed: July 13, 2018

Trial Date: None Set

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19 Plaintiffs’ Motion for Final Approval of Class Action Settlement came before the Court for  
20 hearing on May 29, 2024 at 9:00 a.m. in Department 6. The Court granted Preliminary Approval of  
21 the Class Action Settlement Agreement (the “Agreement”) on September 1, 2023.

22 Having considered Plaintiffs’ Motion for Final Approval, finding no objections to the  
23 Agreement, the evidence submitted, and the arguments of all counsel and parties at the hearing, the  
24 Court finds good cause and enters the following Final Approval Order.

25 **I. FINDINGS**

- 26 1. This Order incorporates by reference the definitions in the Agreement.  
27 2. After consideration of the terms of the Agreement and the evidence submitted, the  
28 proposed settlement is fair, adequate, and reasonable, and consistent with the requirements of

1 California law, including, without limitation, California Rules of Court, rule 3.769. The settlement  
2 was reached after extensive, arms-length and non-collusive negotiations among counsel with the  
3 assistance of mediators. Pursuant to the terms of the Agreement, the gross settlement payment by  
4 Defendants is \$10,000,000 in cash, plus approximately \$2,500,000 in waiver of alleged liabilities  
5 owed by the class to the Defendants.

6 3. The Class Notice provided to members of the Settlement Class was the best  
7 practicable notice under the circumstances, and meets the requirements of California law, including  
8 California Rules of Court, rule 3.769. The Court finds that the Class Notice constituted due,  
9 adequate, and sufficient notice, consistent with due process of law.

10 4. The attorney's fees requested by counsel for Plaintiffs and the Settlement Class  
11 ("Class Counsel") are fair and reasonable. The Court has considered Class Counsel's fee request  
12 under a common fund method with a lodestar cross-check and is fully familiar with the history of  
13 this litigation, the extensive work performed, and the risks and complexity of the case. The Court is  
14 also familiar with the market for legal services in the Los Angeles area and the rates charged by  
15 counsel in similar cases. The Court finds that a total fee of \$3,300,000, reflecting 33% of the  
16 common fund recovery is reasonable and appropriate in this case in light of the length and  
17 complexity of the litigation and the excellent results obtained for the class. Using a lodestar cross-  
18 check, the Court finds that counsel's hourly rates and hours are reasonable, and that a multiplier of  
19 1.975 is warranted in this case due to the risk involved and results obtained, as well as the contingent  
20 nature of the representation.

21 5. The costs incurred by counsel in the amount of \$123,487.75 are reasonable and  
22 appropriate in light of the nature and scope of this litigation.

23 6. The Court finds that the service awards of \$7,500 to each named Plaintiff are fair,  
24 reasonable, and appropriate. The named Plaintiffs responded to multiple rounds of significant written  
25 discovery, assisted counsel in strategy and settlement discussions, attended mediation, and sat for  
26 depositions.

27 **II. ORDER**

28 In light of the foregoing, **IT IS HEREBY ORDERED:**

1           7.       The Agreement and Settlement are approved. Counsel and the Administrator are  
2 directed to consummate the settlement as set forth in the Agreement.

3           8.       The Proposed Final Judgment is hereby approved and the Court will enter the Final  
4 Judgment herewith.

5           9.       Class Counsel shall receive attorney's fees of \$3,300,000 and cost reimbursement of  
6 \$123,487.75 from the settlement fund. The Administrator is also authorized to deduct the fees and  
7 costs of administration, not to exceed \$175,000, from the settlement fund. Each of Plaintiffs Xin  
8 Chen, Brian Chiang, and Kierney Waldron are to receive service awards of \$7,500.00, totaling  
9 \$22,500. After the foregoing disbursements the remaining balance of the \$10,000,000 gross  
10 settlement payment shall be disbursed to the class as provided in the Agreement.

11          10.      The Escrow Agent and Administrator are directed to issue and distribute the  
12 settlement fund, including attorney's fees, costs, administration costs, service awards, and class  
13 member payments, as provided in Section 9 of the Agreement. The manner of calculating each  
14 interested party's share of the settlement funds and the method of issuing payment shall be governed  
15 by Section 9 of the Agreement.

16          11.      All future filings in connection with this order and any notice of appeal shall be  
17 served by electronic service pursuant to Code of Civil Procedure § 1010.6 to avoid delay unless the  
18 filing party obtains leave of Court. Counsel for the parties herein shall be served at the following  
19 email addresses: Plaintiffs (damion.robinson@diamondmccarthy.com and JDParker@gmail.com);  
20 Defendants (jhaas@ecjlaw.com).

21          12.      The Administrator shall, upon request, provide status updates to Class Counsel,  
22 Defendant's counsel, and the Court regarding the status of payment, the rate of acceptance of the  
23 payments, and any efforts to locate members of the Settlement Class whose initial settlement  
24 payments were returned as undeliverable. The Administrator shall further provide those declarations  
25 required by Section 9.11 of the Agreement as required therein.

26          13.      The Court hereby sets an Order to Show Cause re: Settlement Administration for  
27 January 13, 2025 at 8:30 AM in Department 6. Parties are directed to file a Joint Report setting forth  
28 evidence of distribution with declaration from the Class Administrator no later than January 6, 2025.

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**IT IS SO ORDERED.**

Dated: 11/11/11



**Elihu M. Berle**

The Honorable Elihu M. Berle  
JUDGE OF THE SUPERIOR COURT  
Elihu M. Berle / Judge

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**PROOF OF SERVICE**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 355 South Grand Avenue, Suite 2450, Los Angeles, CA 90071.

On June 10, 2024, I served the following documents:

**[PROPOSED] FINAL APPROVAL ORDER**

on interested parties in this action by electronic service as described below.

Counsel for Defendants GHP Management Corporation, et al.  
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**BY ELECTRONIC SERVICE:** Pursuant to Code of Civil Procedure § 1010.6 and the Court’s Order directing service via CaseAnywhere, I caused the documents to be sent to the persons at the notification addresses listed above using the CaseAnywhere electronic service platform.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on June 10, 2024

\_\_\_\_\_  
M.J. Medina