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19 *Attorneys for Plaintiffs and the putative class*

20 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 21 COUNTY OF ALAMEDA

22 WILLA CORDREY, JENNY VARNER,
 23 CLARA MACKENZIE, JOYA SAXENA,
 24 AND SAVANNAH MCCOY, individually
 25 and on behalf of the putative class, and on
 26 behalf of the general public,

27 Plaintiffs,

28 vs.

MILLS COLLEGE, NORTHEASTERN
 UNIVERSITY, and DOES 1-50,

Defendants.

FILED
 Superior Court of California
 County of Alameda
 03/26/2024
 Glad Filipe, Executive Officer / Clerk of the Court
 By: *A. Tumorong* Deputy
 A. Tumorong

Case No. 22CV011159

Complaint filed May 11, 2022

**[AMENDED PROPOSED] ORDER OF
 FINAL APPROVAL, APPROVING
 ATTORNEYS' FEES AND COSTS, AND
 ENTRY OF JUDGMENT**

Assigned to: Hon. Tara Desautels, Dept. 23

Date: March 12, 2024
 Time: 2:30 p.m.
 Dept.: 23

Reservation Numbers: A-11159-003
 A-11159-004

1 **TO EACH PARTY AND THE COUNSEL OF RECORD FOR EACH PARTY:**

2 Before the Court are Plaintiffs’ (1) Motion for Final Approval of Class Action Settlement
3 and (2) Motion for Attorneys’ Fees and Costs (“Motions”). The Court granted preliminary
4 approval of the proposed settlement on November 7, 2023. Due to adequate notice having been
5 given to Defendant and the Class, and the Court having considered the Settlement Agreement, the
6 Motions, all papers filed, and proceedings herein, and having reviewed the record in this litigation,
7 and good cause appearing, the Court hereby GRANTS final approval of the Settlement and
8 Plaintiffs’ motion for approval of fees and costs, as modified by the Order below.

9 1. Except as otherwise specified herein, for the purposes of this Order and Judgment, the
10 Court adopts and incorporates by reference all defined terms set forth in the Settlement Agreement
11 and Motion for Preliminary Approval.

12 2. The Court finds that this Settlement satisfies the requirements for a class action
13 settlement under Code of Civil Procedure section 382 and further finds that the Settlement Class
14 has at all times been adequately represented by the five named Plaintiffs and Class Counsel.

15 3. The Claims Administrator, Epiq/SSI, provided notice approved by the Court by first
16 class mail to the last-known address of each of the 408 individuals identified as Class Members,
17 after first processing such addresses through the U.S. Postal Service change-of-address database,
18 as stated in the declaration of Misty McKinnon for Epiq/SSI. In addition, follow-up efforts were
19 made to send the notice to those individuals whose original notices were returned as undeliverable.
20 Efforts were also made to contact individuals by email, which resulted in 693 emails being sent.
21 All 408 Class Members were sent the court-approved notice by U.S. Mail and/or email. The notice
22 adequately described all of the relevant and necessary parts of the proposed Settlement
23 Agreement, the request for enhancement payments to the class representatives, and Class
24 Counsel’s request for an award of attorneys’ fees and costs.

25 4. The Court finds that the notice given to the Settlement Class fully met the requirements
26 of California law and due process under the United States Constitution. Based on evidence
27 and other material submitted in conjunction with the Motion for Final Approval of Class
28 Action Settlement, the notice to the Class was adequate.

1 5. The Court finds that the Settlement, as set forth in the Settlement Agreement executed
2 by the parties, is fair, reasonable, and adequate. The Court finds that the uncertainty and delay of
3 further litigation support the reasonableness and adequacy of the \$1,250,000 Settlement Fund
4 established pursuant to the Settlement Agreement.

5 6. Out of the identified Settlement Class Members, none have objected to any aspect of the
6 proposed Settlement, and three Class Members have opted out of the proposed Settlement. The
7 three Class Members who opted out of the settlement are: Dana DeFranco, Dawn Michele
8 Sky, and Kathryn Valente. The reaction of the Settlement Class to the proposed settlement
9 strongly supports the conclusion that the proposed Settlement is fair, reasonable, and adequate.

10 7. The Settlement is HEREBY APPROVED as modified by this Order and the releases
11 encompassed therein are effectuated.

12 8. The Settlement Fund shall be disbursed in accordance with the Settlement Agreement
13 and as detailed in the Motion for Preliminary Approval of Class Action Settlement, granted on
14 November 7, 2023, the unopposed Motion for Final Approval of Class Action Settlement filed on
15 February 16, 2024, and the unopposed Motion for Attorneys' Fees and Costs filed on February 16,
16 2024.

17 9. Plaintiffs Jenny Varner and Willa Cordrey are hereby awarded enhancement awards in
18 the amount of \$7,500 each, Plaintiff Clara MacKenzie is hereby awarded an enhancement award
19 in the amount of \$5,000, and Plaintiffs Joya Saxena and Savannah McCoy are hereby awarded
20 enhancement awards in the amount of \$2,500 each, for their time and effort in pursuing this
21 litigation, their broader releases of claims, and the risk they undertook in stepping forward to
22 represent the class.

23 10. Plaintiffs' application for attorneys' fees is approved in the amount of \$437,500, and
24 litigation costs in the amount of \$21,168.71 are hereby granted. After reviewing Plaintiffs'
25 Counsel's billing, I find that thirty-five percent of the common fund is reasonable and is awarded.

26 11. In accordance with Department 23's Procedural Guidelines for Final Approval of
27 Class Action Settlements, a portion of the attorneys' fees award shall be held in an interest-bearing
28 account, maintained either by the Claims Administrator or Class Counsel, pending the submission

1 and approval of a final compliance status report after completion of the distribution process. The
2 Court finds that an attorneys' fees holdback amount of \$43,750 (10% of the attorneys' fees award)
3 is appropriate in this case. The parties are available for a compliance hearing in October 2024. The
4 Court sets a final compliance hearing for Thursday, October 10, 2024, at 10:00 A.M. in
5 Department 23. The parties are to file the compliance status report (with a courtesy copy delivered
6 directly to Dept. 23) at least ten (10) days prior to the compliance hearing.

7 12. The Court approves the *cy pres* recipient identified in the Settlement, The Impact Fund,
8 to receive the full amount of any remainder based upon uncashed settlement checks as called for
9 in the Settlement, because this recipient is useful in fulfilling the underlying purpose of the lawsuit
10 to support to public interest lawyers and communities in need.

11 13. JUDGMENT IS HEREBY ENTERED, approving the terms of the Settlement.

12 14. In accordance with the California Rule of Court 3.769(h), the Court retains exclusive
13 and continuing jurisdiction over the litigation, the Plaintiffs, the Class Members, and
14 Defendant for the purposes of supervising the implementation, enforcement, construction,
15 administration, and interpretation of the Settlement Agreement.

16 15. Pursuant to Code Civ. Proc. § 384, no later than September 30, 2024, the parties shall
17 submit a report to the court specifying the total amount paid to Class Members, and the residual of
18 unclaimed funds that will be paid to the entity(ies) identified as recipients of such funds in the
19 Settlement, along with a proposed amended judgment. No later than 5 days after receipt of notice
20 of the entry of the amended judgment, the parties shall submit the amended judgment to the
21 Judicial Council, pursuant to Code Civ. Proc. § 384.5, and shall file a proof of service with this
22 court confirming this.

23


24 IT IS SO ORDERED.

25

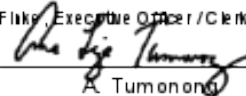
26 Dated: 03/26/2024

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28



Honorable Tara Desautels
JUDGE OF THE SUPERIOR COURT
Tara Desautels / Judge

SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	FILED Superior Court of California County of Alameda 03/26/2024
PLAINTIFF/PETITIONER: Willa Cordrey	Chad Finke, Executive Officer / Clerk of the Court By:  Deputy
DEFENDANT/RESPONDENT: Mills College et al	
CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6	CASE NUMBER: 22CV011159

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Order [Amended Proposed] Order of Final Approval, Approving Attorneys' Fees and Costs, and Entry of Judgment entered herein upon each party or counsel of record in the above entitled action, by electronically serving the document(s) from my place of business, in accordance with standard court practices.

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Dated: 03/26/2024

Chad Finke, Executive Officer / Clerk of the Court

By:



A. Tumonong, Deputy Clerk