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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

VINH NGUYEN, INDIVIDUALLY
AND ON BEHALF OF ALL OTHERS
SIMILARLY SITUATED,

Plaintiff,

v.

RADIANT PHARMACEUTICALS
CORPORATION AND DOUGLAS C.
MACLELLAN,

Defendants.

CASE No.:CV-11-0406-DOC
(MLGx)

CLASS ACTION

**[PROPOSED] ORDER
AWARDING LEAD PLAINTIFFS'
COUNSEL ATTORNEYS FEES
AND REIMBURSING EXPENSES
AND PROVIDING FOR AWARD
TO PLAINTIFFS**

Judge: Hon. David O. Carter
Courtroom: 9D
Hearing Date: April 22, 2014
Hearing Time: 8:30 a.m.

ORDER

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WHEREAS, the Court has granted final approval to the Settlement of the above-referenced class action;

WHEREAS, Lead Plaintiffs’ Counsel, The Rosen Law Firm, P.A., appointed by the Court as Lead Counsel for the Lead Plaintiffs and Class for the purposes of the Settlement have petitioned the Court for an award of attorneys’ fees in compensation for the services provided to Lead Plaintiffs and the Class, an award to Lead Plaintiffs, and reimbursement of expenses incurred in connection with the prosecution of this action, to be paid out of the Settlement Fund established pursuant to the Settlement; and

WHEREAS, the Court has reviewed the fee application and the supporting materials filed therewith, and has heard the presentation made by Lead Counsel during the final approval hearing, and due consideration having been had thereon,

NOW, THEREFORE, it is hereby ordered:

1. Lead Counsel are awarded \$700,000 as attorneys’ fees in this Action, together with a proportionate share of the interest earned on the fund, at the same rate as earned by the balance of the fund, from the date of the establishment of the fund to the date of payment.

2. The expenses of Lead Counsel shall be reimbursed out of the Settlement Fund in the amount of \$421,689.87. Except as otherwise provided herein, the attorneys’ fees shall be paid and reimbursement of expenses shall be made in the manner and procedure provided for in the Stipulation of Settlement dated December 16, 2013.

1 3. Lead Plaintiffs shall be awarded a total of \$6,000 (\$2,000 each) for
2 an incentive fee award and reimbursement for their lost time in connection with
3 their prosecution of this action.

4 4. In making this award of attorneys' fees and reimbursement of
5 expenses to be paid from the Settlement Fund, the Court has considered and
6 found that:

7 (a) The Settlement has created a fund of \$2,500,000 in cash, plus
8 interest to be earned thereon, and Class members who file timely and
9 valid claims will benefit from the Settlement created by Lead Counsel;

10 (b) Over 12,000 copies of the Notice and Claim Forms were
11 disseminated to putative Class members indicating that at the April 22,
12 2014 final approval hearing Lead Counsel intended to seek a fee of up to
13 30% of the Settlement Fund in attorneys' fees, reimbursement of their
14 litigation expenses, and award to Lead Plaintiffs totaling \$9,000;

15 (c) the Summary Notice was published on *GlobeNewswire* and
16 *Investor's Business Daily* as required by the Court,;

17 (d) Lead Counsel has conducted this litigation and achieved the
18 Settlement;

19 (e) the litigation of this Action involved complex factual and legal
20 issues and was actively prosecuted since its filing, and in the absence of
21 Settlement, the Action would have continued to involve complex factual
22 and legal questions;

23 (f) if Lead Plaintiffs' Counsel had not achieved the Settlement, there
24 was a risk of either a smaller or no recovery;

25 (g) Lead Plaintiffs' Counsel has devoted 1,441.8 hours of professional
26 time to the prosecution of this Action, with a lodestar value of \$788,955.
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(h) the amount of attorneys' fees awarded and expenses reimbursed from the Settlement Fund are consistent with awards in similar cases; and

IT IS SO ORDERED.

Dated: _____

HONORABLE DAVID O. CARTER
UNITED STATES DISTRICT JUDGE