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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

BARRY R. LLOYD, Individually
and on Behalf of All Others
Similarly Situated,

Plaintiff,

v.

CVB FINANCIAL CORP., et al.,
Defendants.

Case No. 10-cv-06256-CAS (PJWx)

CLASS ACTION

**[PROPOSED] ORDER AWARDING
ATTORNEYS' FEES AND
REIMBURSEMENT OF
LITIGATION EXPENSES**

Judge: Hon. Christina A. Snyder

Courtroom: 8D

Date: March 13, 2017

Time: 10:00 a.m.

1 This matter came before the Court for hearing on March 13, 2017, to consider,
2 among other things, Lead Counsel's Motion For Award Of Attorneys' Fees And
3 Reimbursement Of Litigation Expenses (ECF No. 130, the "Fee And Expense
4 Motion").¹ The Court having reviewed and considered all documents, evidence, and
5 arguments related to the Fee And Expense Motion, the Notice having been sent to the
6 Settlement Class and the Summary Notice having been published in the *Investor's*
7 *Business Daily* and transmitted over the *PR Newswire*, and the Court having considered
8 and determined the reasonableness of the attorneys' fees and Litigation Expenses
9 requested:

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

11 1. This Court has jurisdiction over the subject matter of the Action and over
12 all parties to the Action, including all Settlement Class Members;

13 2. Notice of Lead Counsel's motion for attorneys' fees and reimbursement of
14 Litigation Expenses was given to all Settlement Class Members who could be identified
15 with reasonable effort. The form and method of notifying the Settlement Class of the
16 motion for attorneys' fees and Litigation Expenses met the requirements of Rules 23 and
17 54 of the Federal Rules of Civil Procedure, Section 12D(a)(7) of the Securities Exchange
18 Act of 1934, 15 U.S.C. § 78u-4(a)(7), as amended by the Private Securities Litigation
19 Reform Act of 1995, and other applicable law, constituted the best notice practicable
20 under the circumstances, and constituted due and sufficient notice to all persons and
21 entities thereto;

22 3. Lead Counsel is hereby awarded attorneys' fees in the amount of 25% of
23 the Settlement Amount, or \$1,550,000.00, plus interest earned at the same rate and for
24 the same time period as the Settlement Fund, and is hereby reimbursed for Lead
25 Counsel's Litigation Expenses in the amount of \$354,041.68, plus interest earned at the
26

27 ¹ All capitalized terms not defined herein have the same meanings set forth and defined
28 in the Stipulation And Agreement Of Settlement (ECF No. 122-1) and the Fee And
Expense Motion (ECF No. 130).

1 same rate and for the same time period as the Settlement Fund, both of which figures the
2 Court finds to be fair and reasonable under the particular circumstances of this case;

3 4. In making the award to Lead Counsel of reasonable attorneys' fees and
4 Litigation Expenses, the Court has considered and found that:

- 5 a. The Settlement has created a \$6.2 million common fund for the benefit
6 of the Settlement Class;
- 7 b. Notice was disseminated to potential Settlement Class Members stating
8 that Lead Counsel would be moving for attorneys' fees in an amount not
9 to exceed 25% of the Settlement Fund, and for reimbursement of
10 Litigation Expenses in an amount not to exceed \$500,000.00;
- 11 c. There was no objections to the requested attorneys' fees or Litigation
12 Expenses;
- 13 d. Plaintiff's Counsel have expended substantial time and effort pursuing
14 the Action on behalf of the Settlement Class;
- 15 e. The Action involved complex factual and legal issues and, in the
16 absence of settlement, would involve additional lengthy proceedings
17 whose resolution would be uncertain;
- 18 f. Plaintiff's Counsel pursued the Action on a contingent basis, and
19 received no compensation during the Action's pendency;
- 20 g. Plaintiff's Counsel conducted the Action and achieved the Settlement
21 with skillful and diligent advocacy;
- 22 h. Public policy considerations favor the award of reasonable attorneys'
23 fees in securities class action litigation;
- 24 i. The amount of attorneys' fees awarded is fair, reasonable and consistent
25 with awards in similar cases; and
- 26 j. The awarded fee is further supported by a lodestar cross-check, resulting
27 in a negative multiplier of Plaintiffs' Counsel's lodestar.
28

1 5. The attorneys' fees and Litigation Expenses described above are to be paid
2 according to the terms, conditions, and obligations of the Stipulation, which this Order
3 hereby incorporates by reference;

4 6. Pursuant to Paragraph 16 of the Stipulation, the attorneys' fees and
5 Litigation Expenses awarded above shall be paid to Lead Counsel immediately upon
6 entry of this Order, notwithstanding any appeal therefrom, on the terms set forth in the
7 Stipulation;

8 7. Any appeal or any challenge affecting any aspect of this Order shall in no
9 way disturb or affect the finality of the Judgment entered with respect to the Settlement;

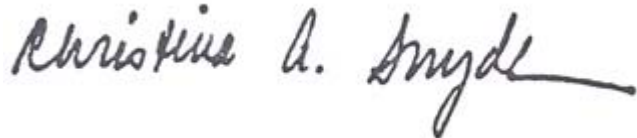
10 8. This Court retains exclusive jurisdiction over the subject matter of this
11 Action and over all parties to the Action, including jurisdiction over the administration
12 and distribution of the Net Settlement Fund to Settlement Class Members;

13 9. In the event that the Settlement is terminated or does not become Final or
14 the Effective Date does not occur in accordance with the terms of the Stipulation, this
15 order shall be rendered null and void to the extent provided by the Stipulation and shall
16 be vacated in accordance with the Stipulation;

17 10. There is no just reason for delay in the entry of this Order, and immediate
18 entry of this Order by the Clerk of the Court is expressly directed pursuant to Rule 54(b)
19 of the Federal Rules of Civil Procedure.

20 IT IS SO ORDERED.

21 Dated: March 13, 2017



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23 _____
CHRISTINE A. SNYDER
United States District Judge