

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL**

MINUTE ORDER

DATE: 06/28/2019

TIME: 09:00:00 AM

DEPT: C-73

JUDICIAL OFFICER PRESIDING: Joel R. Wohlfeil

CLERK: Andrea Taylor

REPORTER/ERM: R Jerrod Jones CSR# 11750

BAILIFF/COURT ATTENDANT: R. Camberos

CASE NO: **37-2017-00037524-CU-BT-CTL** CASE INIT.DATE: 10/06/2017

CASE TITLE: **Beck vs Point Loma Patients Consumer Cooperative Corporation [E-File]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Business Tort

EVENT TYPE: Motion Hearing (Civil)

MOVING PARTY: Karl Beck

CAUSAL DOCUMENT/DATE FILED: Motion for Attorney Fees, 04/03/2019

EVENT TYPE: Motion Hearing (Civil)

MOVING PARTY: Karl Beck

CAUSAL DOCUMENT/DATE FILED: Motion for Approval of Class Settlement, 06/14/2019

APPEARANCES

William R Restis, counsel, present for Plaintiff(s).

Tamara Leetham, counsel appears on behalf of the Defendant.

The Court confirms the tentative ruling as follows:The Motion (ROA # 233) of Plaintiff and proposed Class Representative Karl Beck ("Plaintiff" or "Beck") for an order, pursuant to California Code of Civil Procedure 382, and California Rules of Court 3.769, (1) Granting Final Approval to the Amended Stipulation and Agreement of Settlement filed with this Court on February 19, 2019 at ROA # 214, Ex. A (the "Agreement"), and preliminarily approved by the Court on March 15, 2019 at ROA # 221 as fair, adequate and reasonable and in compliance with California Rule of Court 3.769; (2) Certifying the Class Members and Settlement Class, which excludes those persons who excluded themselves from the Settlement, for settlement purposes; (3) Finding that Class Notice complied fully with Due Process, and California Rule of Court 3.769; (4) Ordering the Parties and the Administrator to carry out and discharge their obligations under the Agreement, is GRANTED.

The Court will sign the proposed order - ROA # 236 - as completed, at the hearing of this Motion.

The Motion (ROA # 224) of Plaintiff and Class Representative Karl Beck ("Plaintiff" or "Representative"), pursuant to Rule 3.769(b) of the California Rules of Court, and the Amended Settlement preliminarily approved by the Court, for an order awarding Class Counsel combined attorney fees and litigation expenses of \$200,000, as well as a \$5,000 incentive award for the Class Representative, is GRANTED.

The Court is satisfied, based on the moving declarations, that the services performed by Plaintiff and Plaintiff's counsel were reasonable and necessary and the rates of service are reasonable.

The Court signs the modified order and judgment.

Joel R. Wohlfeil

Judge Joel R. Wohlfeil