

1 I. Benjamin Blady, Esq. – State Bar No. 162470  
E-mail: bblady@bwlawgroup.com  
2 BLADY WEINREB LAW GROUP, LLP  
6310 San Vicente Boulevard, Suite 400  
3 Los Angeles, California 90048  
Telephone: (323) 933-1352  
4 Facsimile: (323) 933-1353

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5 Attorneys for Plaintiffs  
Donald Sterling Hodge and Lerry Moppin,  
6 for themselves, on behalf of all others similarly situated,  
and on behalf of the general public  
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9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**  
11 **WESTERN DIVISION**

12 DONALD STERLING HODGE and ) CASE NO.: CV11-8346 CAS (JCGx)  
13 LERRY MOPPIN, each for himself, on )  
14 behalf of others similarly situated, and on )  
15 behalf of the general public, ) **[PROPOSED] ORDER**  
16 Plaintiffs, ) **GRANTING FINAL APPROVAL**  
17 vs. ) **OF THE STIPULATION FOR**  
18 ) **SETTLEMENT AND RELEASE**  
19 ) **OF CLASS ACTION CLAIMS**  
20 CARDINAL LOGISTICS )  
21 MANAGEMENT CORPORATION, a )  
22 North Carolina Corporation; and )  
23 Does 1 through 50, inclusive, )  
24 Defendants. )  
25 )  
26 )  
27 )  
28 )

1 Having on April 17, 2012 previously granted preliminary approval (Dkt. #34)  
2 of the parties' Joint Stipulation of Settlement and Release of Class Action (the  
3 "Stipulation"), this matter now comes before the Court for final approval of the  
4 proposed settlement set forth in the Stipulation. For purposes of this Order, all terms  
5 used herein shall have the same meaning as defined in the Stipulation. Having  
6 reviewed and considered the papers, evidence and arguments in support of and in  
7 opposition thereto, the Court **HEREBY FINDS AND ORDERS AS FOLLOWS:**

8 1. This Court has jurisdiction over the subject matter of this litigation and  
9 over all Parties to this litigation, including all Plaintiffs and Class Members.

10 2. Distribution of the Notice of Proposed Settlement and Fairness Hearing  
11 as set forth in the Stipulation and the other matters set forth therein have been  
12 completed in conformity with the Court's Order granting preliminary approval of the  
13 proposed settlement, including individual notice to all Class Members who could be  
14 identified through reasonable effort, and was the best notice practicable under the  
15 circumstances. This provided due and adequate notice of the proceedings and of the  
16 matters set forth therein, including the proposed settlement set forth in the Stipulation,  
17 to all persons entitled to such notice, and the notice fully satisfied the requirements of  
18 due process. Zero (0) Class Members objected to the proposed settlement and two (2)  
19 Class Members opted out of the proposed settlement.

20 3. Final approval of the proposed settlement set forth in the Stipulation  
21 shall be and hereby is **GRANTED**. The Court finds that the proposed settlement is, in  
22 all respects, fair, adequate and reasonable and directs the Parties to effectuate the  
23 Stipulation according to its terms. The Court further finds that the proposed  
24 settlement has been reached as a result of intensive, serious and non-collusive, arms-  
25 length negotiations. The Court also finds that the Parties have conducted adequate  
26 investigation and research and counsel for the Parties are able to reasonably evaluate  
27 their respective positions. The Court further finds that settlement at this time will  
28 avoid additional substantial costs, as well as avoid the delay and risks that would be

1 presented by the further prosecution of this action. The Court has reviewed the  
2 monetary recovery that is being granted pursuant to the Stipulation and recognizes the  
3 value to the members of the settlement class of the monetary recovery.

4 4. For purposes of the settlement only, the Court GRANTS certification of  
5 the proposed Rule 23 Class as defined in the Stipulation.

6 5. As of the Date of Final Approval, all of the Released Claims of all Class  
7 Members who have not properly elected to exclude themselves from the terms of the  
8 Stipulation are and shall be deemed to be conclusively released as against the  
9 Released Parties, and all such Class Members shall be and hereby are permanently  
10 enjoined from pursuing, or seeking to reopen, any Released Claims against any  
11 Released Parties.

12 6. The Stipulation and the settlement therein approved by this Order are not  
13 an admission by Defendant or any of the other Released Parties, nor is this Order a  
14 finding, of the validity of any claims asserted in this action or of any wrongdoing by  
15 Defendant. Neither this Order, the Stipulation, nor any document referred to herein,  
16 nor any action taken to carry out the Stipulation is, may be construed as, or may be  
17 used as an admission by or against Defendant or any of the other Released Parties of  
18 any fault, wrongdoing or liability whatsoever. The entering into or carrying out of the  
19 Stipulation and the settlement therein approved by this Order, and any negotiations or  
20 proceedings related thereto, shall not in any event be construed as, or deemed to be  
21 evidence of, an admission or concession with regard to the denials or defenses by  
22 Defendant or any of the other Released Parties and shall not be offered in evidence in  
23 any action or proceeding against Defendant or any of the Released Parties in any  
24 court, administrative agency or other tribunal for any purpose whatsoever other than  
25 to enforce the provisions of this Order, the Stipulation as approved in this Order, or  
26 any related agreement or release. Notwithstanding these restrictions, any of the  
27 Released Parties may file in this action or in any other proceeding this Order, the  
28 Stipulation, or any other papers and records on file in this action as evidence of the

1 settlement approved by this Order to support a defense of res judicata, collateral  
2 estoppel, release, or other theory of claim or issue preclusion or similar defense as to  
3 the Released Claims.

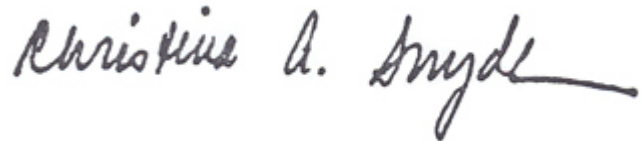
4 7. The Court APPROVES the proposed allocation of the Settlement Fund  
5 as set forth in the Stipulation.

6 8. The Court APPROVES Class Counsel's requests for \$300,000 in  
7 attorneys' fees and \$9,572.22 in costs to be paid from the Gross Settlement Amount  
8 provided for in the Stipulation. Class Counsel shall not be entitled to any other award  
9 of attorneys' fees or costs in any way connected with this action.

10 9. The Court APPROVES the payments of Class Representative  
11 Enhancements of \$10,000 to Donald Hodge and \$10,000 to Lerry Moppin.

12 10. Without affecting the finality of this Order in any way, this Court hereby  
13 retains jurisdiction over the interpretation, implementation and enforcement of the  
14 Stipulation and all orders and judgments entered in connection therewith. For all  
15 other purposes, this case is DISMISSED WITH PREJUDICE.

16 IT IS SO ORDERED, ADJUDGED AND DECREED.

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19 DATED: September 10, 2012

20 HONORABLE CHRISTINA A. SNYDER  
21 UNITED STATES DISTRICT JUDGE

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