

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

HELEN PITTS, et al.

PLAINTIFFS

V.

BRUCE GREENSTEIN, et al.

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C.A. No. 3:10-cv-00635-JJB-SCR

JUDGE JAMES J. BRADY

MAGISTRATE JUDGE STEPHEN
C. RIEDLINGER

CLASS ACTION

**JOINT MOTION FOR ORDER APPROVING CLASS ACTION SETTLEMENT
AND ORDERING COMPLIANCE**

The parties seek approval of the Settlement Agreement attached hereto as Exhibit 1, pursuant to Rule 23(e), Fed. R. Civ. Pro. and an order that the parties comply with its terms. In support of this motion, the parties would show the Court:

1. For the reasons set forth in the attached Memorandum, the parties assert that the proposed Settlement Agreement is fair, reasonable, and adequate.
2. The Settlement Agreement is expressly conditioned on this Court's entering an order requiring the parties to comply with the terms of the Agreement.
3. The class has been given notice of the Settlement Agreement through publication of notice in eight Louisiana newspapers prior to January 30, 2012.
4. The Settlement Agreement further provides for the acceptance by Plaintiffs' counsel of the sum of \$250,000 for attorneys' fees and costs for work done through the date of final approval of the Settlement Agreement, provided that the Court enters an order requiring Defendants to pay this amount to Plaintiffs' counsel within ten days of the Court's final approval of the Settlement Agreement. Plaintiffs' counsel will provide appropriate W-9 forms to Defendants' counsel to facilitate payment.

5. The class was been given notice of this provision of the Settlement Agreement in the publication notice described above.

6. The attached declarations and exhibits show that the lodestar sought by Plaintiffs' counsel was \$374,000, made up of the following amounts for the work of the attorneys and paralegals for the Plaintiff class:

	Hours	Hourly rate	Lodestar
Nell Hahn	621.45	\$300	\$186,435
Jeanne Abadie (paralegal)	518.60	\$75	\$ 38,895
Ken Zeller	39.30	\$450	\$17,640
Stephen F. Gold	217.26	\$585	\$128,760

7. This lodestar understates the number of hours actually spent by Plaintiffs' counsel, because it includes no work done after December 22, 2011, even though considerable additional work was performed by class counsel after that date.

8. The attached declarations and exhibits also show the qualifications and experience of Plaintiffs' counsel. They show that the amount of fees for plaintiffs' counsel established by the agreement was arrived at after substantially reducing the number of hours compensated. After exercising billing judgment to eliminate hours that were duplicative, excessive, or otherwise not compensable, plaintiffs' counsel calculated a lodestar amount. The lump sum counsel eventually agreed to represents less than 70% of this substantially-reduced amount.

WHEREFORE the parties request that this Court enter an Order approving the Settlement Agreement, ordering the parties to comply with its terms.

DATED: February 15, 2012

Respectfully submitted,

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