

1 Joshua Konecky, Esq. (SBN 182897)
Nathan Piller, Esq. (SBN 300569)
2 SCHNEIDER WALLACE COTTRELL
KONECKY WOTKYNS LLP
2000 Powell Street, Suite 1400
3 Emeryville, CA 94608
Telephone: (415) 421-7100
4 Facsimile: (415) 421-7105
jkonecky@schneiderwallace.com
5 npiller@schneiderwallace.com

6 Shanon Carson (admitted pro hac vice)
Sarah Schalman-Bergen (admitted pro hac vice)
7 BERGER & MONTAGUE, P.C.
1622 Locust Street
Philadelphia, PA 19103
8 Telephone: (215) 875-3000
scarson@bm.net
9 Sshalman-bergen@bm.net

10 Attorneys for Plaintiffs

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

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14
15 ROBERT SHAW, et al., individually and on
behalf of all others similarly situated, and as a
16 proxy of the State of California on behalf of
aggrieved employees

17 Plaintiffs,

18
19 vs.

20 AMN SERVICES, LLC, KAISER
FOUNDATION HOSPITALS, SOUTHERN
21 CALIFORNIA PERMANENTE MEDICAL
GROUP, INC., and THE PERMANENTE
22 MEDICAL GROUP, INC

23 Defendants.

Case No. 3:16-cv-02816 JCS

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR SERVICE
AWARDS**

Date: May 31, 2019
Time: 9:30 a.m.
Courtroom: G, 15th Floor
Judge: Hon. Joseph C. Spero

1 Before the Court is Plaintiffs' Motion for Service Awards ("the Motion"). Plaintiffs seek
2 a service award in the amount of \$15,000 each for Class Representatives Robert Shaw, Candy
3 Kucharski, and Jennifer Corona Teitelbaum. The matter was heard by this Court on May 31,
4 2019, at 9:30 a.m. in Courtroom G of the United States District Court for the Northern District of
5 California. Having considered the Motion, the briefing in support of the Motion, the declarations
6 submitted in support, relevant legal authority, the record in this case, and the argument of
7 Counsel at the hearing thereon, the Court finds as follows:

8 1. The purpose of services awards is "to compensate class representatives for work
9 done on behalf of the class [and] make up for financial or reputational risk undertaken in
10 bringing the action...." *Rodriguez v. West Publ'g Corp.*, 563 F.3d 948, 958 (9th Cir. 2009);
11 *Staton v. Boeing Co.*, 327 F.3d 938, 977 (9th Cir. 2003).

12 2. In evaluating the appropriateness of service awards, courts consider the following
13 relevant factors: (1) the amount of time and effort spent by the class representatives on the
14 litigation; (2) the degree to which the class representatives' efforts benefitted the class; (3) the
15 personal difficulties encountered by the class representatives; (4) the duration of the litigation;
16 (5) the personal benefit, or lack thereof, enjoyed by the class representatives as a result of the
17 litigation; and (6) the risk to the class representative in commencing suit, both financial and
18 otherwise. *Staton*, 327 F.3d at 977; *Boyd v. Bank of Am. Corp.*, No. SACV 13-0561-DOC, 2014
19 WL 6473804, at *7 (C.D. Cal. Nov. 18, 2014) (citing *Van Vranken v. Atlantic Richfield Co.*, 901
20 F. Supp. 294, 299 (N.D. Cal. 1995)); *Clark v. American Residential Services LLC*, 175 Cal. App.
21 4th 785, 804-07 (2009).

22 3. Upon application of these factors to the litigation and involvement by the Class
23 Representatives in this case, the requested \$15,000 service awards are reasonable and warranted.

24 4. The Class Representatives each expended substantial time assisting in the
25 prosecution of the case. They each have spent considerable time providing valuable information
26 to counsel, assisting in the drafting of declarations and other pleadings, sitting for depositions,
27 and participating in mediation.

1 5. The Class Representatives' efforts significantly benefitted the Class Members by
2 contributing to a \$20 million total settlement, which will bring substantial relief to approximately
3 8,212 individuals in the settlement Class. *See* Declaration of Joshua Konecky in Support of
4 Motion for Preliminary Approval of Class Action Settlement at ¶¶ 61-62 [ECF 151-1].

5 6. The only consideration or personal benefit provided to the Class Representatives
6 under the settlement are the standard Class awards provided to all Class Members, and the
7 possibility of a service award.

8 7. The Class Representatives faced both financial and reputational risk by
9 participating in the litigation. They lent their names to this case and thus subjected themselves to
10 public attention and the fear of backlash with regards to future employment opportunities. Each
11 was also subject to the risk of being subject to the rigors of discovery and having to devote their
12 own time and expenses in participating in the case. The Class Representatives also are agreeing
13 to a broader release of all potential claims against Defendants to obtain a Class-wide settlement
14 for the benefit of the traveling nurses.

15 8. In light of all of the above, the requested \$15,000 service awards are reasonable
16 and warranted, and should be paid to the Class Representatives out of the Gross Settlement
17 Amount. The Named Plaintiffs provided important assistance during the pendency of this action,
18 spent significant time and effort, risked personal difficulties and vigorously represented the
19 interests of the Class.

20 9. Accordingly, the Court GRANTS service awards in the amount of \$15,000 to
21 Named Plaintiffs Robert Shaw, Candy Kucharski, and Jennifer Corona Teitelbaum.

22 **IT IS SO ORDERED.**

23 DATED: May 31, 2019

24 
25 HON. JOSEPH C. SPERO
26 CHIEF MAGISTRATE JUDGE
27 UNITED STATES DISTRICT COURT