

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

HEIDI LANGAN, on behalf of herself and
all others similarly situated,
Plaintiff,

v.

JOHNSON & JOHNSON CONSUMER
COMPANIES, INC., *et al.*,
Defendant.

No. 3:13-CV-01471 (JAM)

**ORDER GRANTING PLAINTIFF'S MOTION
FOR AN AWARD OF ATTORNEYS' FEES AND EXPENSES
AND LEAD PLAINTIFF SERVICE AWARD**

WHEREAS, this matter coming to be heard on the Plaintiff's Motion for an Award of Attorneys' Fees and Expenses and a Lead Plaintiff Service Award, together with the supporting papers filed by Plaintiff, and having heard and considered the evidence and arguments of counsel, the Court makes the findings and grants the relief set forth below.

1. The Court finds the efforts of Plaintiff and of Settlement Class Counsel Izard Kindall & Raabe LLP have resulted in a Settlement Fund valued at \$2,400,000 for the benefit of the Settlement Class.

2. Plaintiff has requested an award of attorneys' fees of \$720,000, or thirty percent (30%) of the Settlement Fund. The Court finds that it is appropriate to award attorneys' fees based on the percentage-of-the-fund method. The Court further finds that Class Counsel have expended considerable time and effort prosecuting this litigation over a period of several years. The case involved considerable legal and factual complexity. The quality of representation was high and counsel achieved a good result for the Settlement Class.

3. Based upon the foregoing, and upon the Court's consideration of all the evidence and argument of counsel, the Court awards attorneys' fees to be paid from the Settlement Fund

in the amount of \$720,000 in accordance with the terms of the Settlement Agreement. The fee is in line with awards in other complex class action cases, and public policy supports an award of fees sufficient to ensure that the interests of consumers are represented ably by talented and experienced trial counsel.

4. Plaintiff has further requested that the Court reimburse the expenses Settlement Class Counsel have incurred litigating this case in the amount of \$216,534.84, most of which involved payment of experts whose work was essential to achieving the Settlement. Based upon the foregoing, and upon the Court's consideration of all of the evidence and argument of counsel, the Court finds that the claimed expenses were reasonable and necessary for the prosecution of the case, and awards Settlement Class Counsel the amount of \$216,534.84 for reimbursement of expenses, to be paid from the Settlement Fund in accordance with the terms of the Settlement Agreement.

5. Plaintiff has also requested a Service Award of \$5,000 in recognition of her time and effort spent in litigating this case on behalf of the Settlement Class. Having reviewed all the evidence and argument of counsel, the Court finds the named representative Plaintiff devoted considerable time to the litigation and worked hard to achieve a good result for the entire Settlement Class. Accordingly, the Court awards Plaintiff a service award in the amount of \$5,000, to be paid from the Settlement Fund in accordance with the terms of the Settlement Agreement.

6. Class Counsel is authorized, at its discretion, to withhold from the fee award sufficient money to increase to a minimum of \$1 checks to class members who would otherwise be due a lower amount as a result of the number of products claimed and any *pro rata* reduction to their claim amount that might be required by virtue of the total value of all approved claims.

In the event that Class Counsel withholds payment from its fee award pursuant to this paragraph, the Claims Administrator is authorized to reimburse Class Counsel in an amount equal to that withholding from any residual funds that may remain in the Settlement Fund as a result of uncashed checks issued to Class Members.

7. In the event the Effective Date does not occur, this Order shall be rendered null and void and shall be vacated and, in such event, as provided in the Settlement Agreement, this Order shall be vacated and null and void.

It is so ordered.

Dated at New Haven this 12th day of July 2019.

/s/ *Jeffrey Alker Meyer*

Jeffrey Alker Meyer

United States District Judge