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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ALFRED SALAS and GLORIA ORTEGA,  
individually, and on behalf of a class of  
similarly situated individuals,

Plaintiffs,

vs.

TOYOTA MOTOR SALES, U.S.A., INC., a  
California corporation,

Defendant.

Case No.: 15-cv-08629-HDV-E

Judge: Hon. Hernán D. Vera

~~PROPOSED~~ ORDER GRANTING MOTION  
FOR ATTORNEYS' FEES, COSTS, AND  
CLASS REPRESENTATIVE SERVICE  
AWARDS [276]

**ORDER**

1  
2 On October 30, 2024 and January 7, 2025, this Court conducted hearings on Plaintiffs’  
3 Motion for Attorneys’ Fees, Costs, and Class Representative Service Awards. Having carefully considered  
4 the papers, evidence, and arguments presented by the parties, the Court finds and orders as follows:

5 1. Plaintiffs have entered into a proposed Settlement Agreement with Defendant Toyota  
6 Motor Sales, U.S.A., Inc. (“Toyota” or “Defendant”) that has been final approved by separate order as fair,  
7 adequate, and reasonable to the certified Settlement Class. Plaintiffs now seek entry of an order for  
8 attorneys’ fees, costs, and service awards.

9 2. The Court exercises diversity jurisdiction over this action pursuant to 28 U.S.C. § 1332.  
10 Accordingly, Plaintiffs’ right to an award of attorneys’ fees and costs as well as the method of calculating  
11 the amount of that award is governed by California law. *Mangold v. California Public Utilities*  
12 *Commission*, 67 F.3d 1470, 1478 (9th Cir. 1985).

13 3. The Court finds that the Settlement provides substantial relief and benefits for Class  
14 Members, therefore Plaintiffs are the prevailing party for purposes of being awarded attorneys’ fees and  
15 costs under California law.

16 4. The Court applies California’s lodestar/multiplier method to calculate the appropriate  
17 attorneys’ fees to be awarded to Plaintiffs. Under this method, the Court first determines the lodestar by  
18 multiplying the number of hours reasonably spent by Class Counsel by reasonable hourly rates. The Court  
19 then may apply a multiplier to the lodestar.

20 5. The Court has reviewed Plaintiffs’ submissions and finds that Class Counsel’s time was  
21 reasonably spent and that their hourly rates are commensurate with the hourly prevailing rates for private  
22 attorneys in the community conducting class action litigation. Multiplying the documented hours  
23 reasonably spent by Class Counsel litigating this case by their hourly rates, the Court finds that the lodestar  
24 for Class Counsel, \$3,869,533, is reasonable.

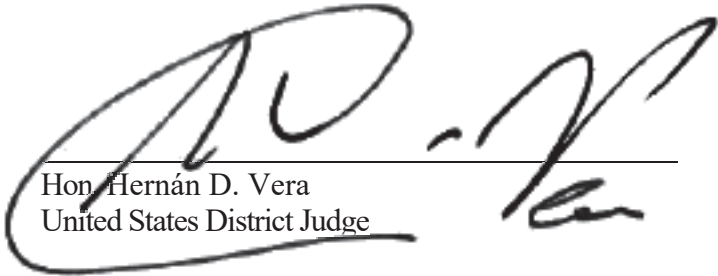
25 6. The Court finds that, due to the contingent risk borne by Class Counsel and the results  
26 achieved, the application of a multiplier of 1.06 is reasonable and appropriate under the circumstances.  
27 Applying a 1.06 multiplier to Class Counsel’s lodestar of \$3,869,533 yields the requested fee amount of  
28 \$4,100,000, which the Court finds to be reasonable attorneys’ fees for the services rendered.

1           7.       Federal Rules of Civil Procedure 23(h) and 54 governs the determination of costs and  
2 expenses in a diversity action in federal court. *Aceves v. Allstate Ins. Co.*, 68 F.3d 1160, 1167 (9th Cir.  
3 1995). The Court has reviewed the evidence of Class Counsel’s costs and expenses and concludes that  
4 they were reasonably necessary to the conduct of the litigation and are the type of expenses that firms  
5 ordinarily bill to a paying client. The Court therefore awards Class Counsel their requested costs and  
6 expenses in the sum of \$350,000.

7           8.       And for services rendered on behalf of the Settlement Class, the Court hereby awards  
8 Plaintiffs service awards of \$7,500 for Plaintiff Alfred Salas and \$5,000 for Plaintiff Gloria Ortega.

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10           **IT IS SO ORDERED.**

11           Dated: January 7, 2025



Hon. Hernán D. Vera  
United States District Judge

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