

**ELECTRONICALLY RECEIVED**  
Superior Court of California,  
County of San Diego  
**09/06/2019** at 04:14:25 PM  
Clerk of the Superior Court  
By Carolina Miranda, Deputy Clerk

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN DIEGO**

MONICA RAEL and ALYSSA HEDRICK, on  
behalf of themselves and all others similarly  
situated,

Plaintiffs,

v.

RTW RETAILWINDS, INC., a Delaware  
corporation, NEW YORK & COMPANY  
STORES, INC., a New York corporation, and  
DOES 1-20, inclusive,

Defendants.

Case No: 37-2019-00003850-CU-MC-CTL

**[E-FILE]**

**CLASS ACTION**

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S UNOPPOSED MOTION FOR  
ATTORNEYS' FEES, COSTS, AND  
INCENTIVE AWARD**

Date: September 27, 2019  
Time: 9:00 a.m.  
Dept.: C-73

1 **PROPOSED ORDER**

2 On September 27, 2019, this Court heard Plaintiff’s Unopposed Motion for Attorneys’ Fees, Costs,  
3 and Incentive Award filed by Plaintiffs Monica Rael and Alyssa Hedrick (“Plaintiffs”). This Court  
4 reviewed the motion and the supporting papers. As such, having reviewed the foregoing and based on the  
5 findings below, the Court found good cause to grant the unopposed motion.

6 The requested attorneys’ fees and costs in the amount of \$600,000.00 is fair and reasonable in light  
7 of the nature of the case, Class Counsel’s experience and efforts in prosecuting this action, and the  
8 significant benefit obtained for Class Members. Class Counsel may elect to have a portion of the Court  
9 Approved Attorneys’ Fees and Costs paid in periodic payments through a structured settlement entered  
10 into prior to payment of any such fees and costs to Class Counsel. The Settlement Administrator and  
11 Qualified Settlement Fund are authorized to execute and issue all documents necessary to effectuate any  
12 such structured settlement, including W-9 form(s) for any portion of Fees and Costs that are paid through  
13 a structured settlement fund. Any Class Counsel who make this election shall be solely and legally  
14 responsible to pay all applicable taxes on any payment made pursuant to this Paragraph.

15 An incentive award in the amount of \$4,000.00 to each Plaintiff (total \$8,000.00) is fair and  
16 reasonable in light of the risks in commencing this action, and the time and effort spent litigating this  
17 action as the Class Representative.

18 NOW, THEREFORE, IT IS HEREBY ORDERED:

- 19 1. Class Counsel is awarded attorneys’ fees and costs in the total amount of \$600,000.00. Defendants  
20 must pay Class Counsel this amount no later than thirty (20) business days after the Final  
21 Settlement Date as set forth in Paragraph 2.4 of the Settlement Agreement;
- 22 2. Plaintiffs are awarded incentive awards in the amount of \$4,000.00 each. Defendants must pay  
23 Plaintiffs this amount no later than thirty (20) business days after the Final Settlement Date as set  
24 forth in Paragraph 2.3 of the First Amended Settlement Agreement.

25  
26 DATED: \_\_\_\_\_

\_\_\_\_\_ San Diego Superior Court Judge  
27 Hon. Joel R. Wohlfeil