

STATE OF MINNESOTA
COUNTY OF STEELE

DISTRICT COURT
THIRD JUDICIAL DISTRICT

Payshence Carr, on behalf of herself
individually and all others similarly situated,

Case Type: Contract;
MN Gov't Data Practices Act

Plaintiff,

Court File No.: 74-CV-21-632

v.

South Country Health Alliance, a Joint
Powers Board,

Defendant.

**ORDER GRANTING MOTION FOR MOTION FOR ATTORNEYS'
FEES, EXPENSES, AND CLASS REPRESENTATIVE SERVICE AWARD**

WHEREAS, Plaintiff, Class Representative, Payshence Carr ("Class Representative"), by Class Counsel, moved the Court pursuant to Minn. R. Civ. P. 23.08, for attorneys' fees to Class Counsel of \$123,551.57 and \$8,348.43 in litigation expenses, and for a Service Award to the Class Representative of \$1,500.00, as set forth in the parties' Class Action Settlement Agreement ("Settlement Agreement") ¶¶ 4.2-4.4, and the July 18, 2023 Preliminary Approval Order;

WHEREAS a hearing was held on November 6, 2023 to consider the application for attorneys' fees, expenses, and the Service Award, in conjunction with Class Representative's Motion for Final Approval of Class Action Settlement in this action;

The Court enters the following findings of fact and conclusions of law:

1. The parties have entered into a Settlement under which Defendant has agreed to pay the costs of Notice and Settlement Administration, and pay Attorneys' Fees and Expenses for Class Counsel as approved by the Court, and the Service Award, in a total sum not to exceed \$200,000.00, preliminarily approved by the Court on July 18, 2023. *See* SA ¶¶ 4.2, 4.4;

2. The requested attorneys' fees to Class Counsel of \$123,551.57 are fair and

reasonable under Minn. R. Civ. P. 23.08, considering (1) the benefit conferred on the Class by the Settlement, (2) the risk to which Class Counsel was exposed, (3) the difficulty and novelty of the legal and factual issues in this data breach case, (4) the skill of counsel, (5) the time and labor involved, (6) the reaction of the class including no objections, and (7) the comparison between the requested attorney fee percentage approximating 24.71% and percentages awarded in similar cases;

3. Class Counsel's expenses of \$8,348.43 are reasonable, as the customary kind incurred in litigation; and,

4. Class Representative has taken on a key and significant role in this litigation of claims on behalf of the Class to protect their interest, to the benefit of the Class;

ACCORDINGLY, IT IS HEREBY ORDERED:

A. Class Counsel is awarded attorneys' fees in the sum of \$123,551.57, and litigation expenses of \$8,348.43;

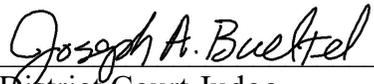
B. Class Representative is awarded a Service Award in the sum of \$1,500.00;

C. The above payments shall be made by Defendant as set forth in the Settlement Agreement; and

D. The Court retains jurisdiction to consider all further matters arising out of or connected with the Settlement.

11/06/2023 08:49:08 AM

Dated: _____, 2023



 District Court Judge

******* THIS ORDER IS EFFECTIVE UPON THE COURT'S ELECTRONIC SIGNATURE AND ENTRY AS NOTED ON THE TOP OF THE FIRST PAGE. *******