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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

STEVEN ROBERT PRESCOTT,
DONOVAN MARSHALL, MARIA
CHRISTINE ANELLO, DARLENE
KITTRIDGE, TREAHANNA
CLEMMONS, and SUSAN ELIZABETH
GRACIALE, individually and on behalf of
all others similarly situated,

Plaintiffs,

vs.

RECKITT BENCKISER LLC,

Defendant.

Case No.: 5:20-cv-02101-BLF

**[PROPOSED] MODIFIED FINAL ORDER
AND JUDGMENT FOR MOTION FOR
FINAL APPROVAL OF CLASS
SETTLEMENT AND AWARDED
ATTORNEYS' FEES, COSTS, AND
SERVICE AWARDS**

Hon. Beth Labson Freeman

1 Plaintiffs' Motion for Final Settlement Approval and Awards of Attorney's Fees, Litigation
2 Costs, and Service Awards came before the Court for hearing on March 28, 2024. Having
3 considered the parties' Settlement Agreement, and all papers filed and proceedings had herein,

4 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

5 1. The Court finds, following rigorous analysis and for purposes of settlement only,
6 that the following Settlement Classes satisfy the requirements of Federal Rule of Civil Procedure
7 23 and are certified:

8 (a) California Class: All residents of California who purchased Woolite laundry
9 detergent with a label bearing the phrases "Color Renew" and/or "revives colors" from
10 February 1, 2017 to May 1, 2023.

11 (b) New York Class: All residents of New York who purchased Woolite laundry
12 detergent with a label bearing the phrases "Color Renew" and/or "revives colors" from
13 February 22, 2018 to May 1, 2023.

14 (c) Massachusetts Class: All residents of Massachusetts who purchased Woolite
15 laundry detergent with a label bearing the phrases "Color Renew" and/or "revives colors"
16 from February 22, 2017 to May 1, 2023.¹

17 2. The Court finds that notice has been disseminated to the Classes in compliance with
18 the Court's Order Granting Preliminary Approval. The Court further finds that the notice given
19 was the best notice practicable under the circumstances; constituted notice that was reasonably
20 calculated, under the circumstances, to apprise Class members of the pendency of the action, the
21 terms of the proposed Settlement, the right to object to or exclude themselves from the proposed
22 Settlement, and the right to appear at the Final Approval Hearing; constituted due, adequate, and
23 sufficient notice to all persons entitled to receive notice; fully satisfied due process; and met the
24

25 ¹ Excluded from the Settlement Classes are: (a) Reckitt, any entity in which Reckitt has a
26 controlling interest, Reckitt's officers, directors, legal representatives, successors, subsidiaries
27 and assigns; (b) any judge, justice or judicial officer presiding over this action or settlement
28 conferences and the members of their immediate families and staff; (c) any person who timely
and properly excludes himself or herself from the Settlement Class.

1 requirements of Rule 23 of the Federal Rules of Civil Procedure. The Court further finds that notice
2 provisions of 28 U.S.C. § 1715 were complied with in this case.

3 3. The Court finds that the proposed settlement is fair, reasonable, and adequate under
4 Rule 23(e)(2), is in the best interest of the Class, and should be and hereby is fully and finally
5 approved. *See* Fed. R. Civ. P 23(e)(1)(B)(i).

6 4. The Court hereby adopts and approves the Settlement Agreement and the
7 Settlement terms contained therein. Accordingly, the Court directs the Parties and their counsel to
8 implement and consummate the Settlement in accordance with the terms and conditions of all
9 portions of the Settlement Agreement.

10 5. The Court hereby authorizes the Settlement Administrator, Epiq Class Action &
11 Claims Solutions, Inc. (“Epiq”), to administer the settlement benefits to the members of the
12 Settlement Class pursuant to the terms of the parties’ Settlement Agreement. *See* Settlement
13 Agreement, Section IX.K.

14 6. The Court finds the attorney’s fee requested by Class Counsel to be fair and
15 reasonable. Accordingly, the Court grants Class Counsel’s request for an attorneys’ fee of
16 \$982,500.00 to be paid from the settlement fund.

17 7. The Court further finds that Class Counsel reasonably expended \$369,499.27 in
18 costs to prosecute the litigation on behalf of the Plaintiffs and the Classes. Accordingly, the Court
19 grants the request to reimburse Class Counsel’s costs in the amount of \$369,499.27 to be paid from
20 the settlement fund.

21 8. The Court further finds the requested service awards are fair and reasonable. The
22 Court awards Class Representatives Steven Prescott, Donovan Marshall, Maria Christine Anello,
23 Darlene Kittredge, Treahanna Clemmons, and Susan Graciale \$10,000.00 each (totaling \$60,000
24 for the six Class Representatives) to be paid from the settlement fund.

25 9. The Court further finds that Epiq reasonably incurred \$ 337,000.00 to provide
26 notice and settlement administration services. Accordingly, the Court grants the request to pay
27 Epiq \$ 337,000.00 from the settlement fund for Epiq’s work as the Settlement Administrator.

1 10. The Court also approves the World Wildlife Fund (“WWF”) as the *cy pres*
2 recipient. Pursuant to the terms of the Settlement Agreement, the *cy pres* recipient will only receive
3 money from the settlement fund if the parties mutually agree that a supplemental distribution is
4 economically unfeasible. *See* Settlement Agreement, Section IX.L.

5 11. Other than as expressly provided for in this Order, no other costs or fees shall be
6 assessed on any party to this action.

7 12. All claims against the Defendant in this action are hereby dismissed with prejudice.

8 13. The Release set forth in the Settlement Agreement, in Section XI, is incorporated
9 herein and, as of the Effective Date and by operation of the Order, is binding and effective on all
10 Class members who have not properly excluded themselves from the Classes. The Settlement
11 Agreement, including the full Release in Section XI, can be found on the Court’s publicly available
12 docket at ECF No. 178-2.

13 14. The Court expressly directs the Clerks of the Court to enter this Final Order and
14 Judgment, and hereby decrees that, upon entry, it be deemed a final judgment. Without affecting
15 the finality of this Judgment in any way, this Court hereby retains continuing jurisdiction over (a)
16 implementation of the settlement; (b) further proceedings, if necessary, on applications for
17 attorneys’ fees, expenses, and costs in connection with the action and the settlement; and (c) the
18 parties and the Class members for the purpose of construing, enforcing, and administering the
19 Settlement Agreement and all orders and judgments entered in connection therewith.

20
21
22 **IT IS SO ORDERED.**

23
24 Dated: _____

25 HON. BETH LABSON FREEMAN
26 UNITED STATES DISTRICT COURT JUDGE