

**FILED**

Superior Court of California  
County of San Francisco

AUG -2 2023

CLERK OF THE COURT

BY: Chak Bennett  
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO  
DEPARTMENT 613

SUZANNE MIRZOYAN AND RAYMOND  
LEE, individually, and on behalf of all others  
similarly situated, and the general public,

Plaintiffs,

v.

THE HERSHEY COMPANY, a Delaware  
corporation; DOES 1-10 inclusive,

Defendants.

Case No. CGC-20-583659

ORDER GRANTING MOTION FOR  
ATTORNEY'S FEES, COSTS, AND  
SERVICE AWARDS

Plaintiffs Suzanne Mirzoyan and Raymond Lee (collectively, "Plaintiffs") and defendant the Hershey Company ("Hershey") have reached a settlement of the claims in this proceeding, which is set forth in the Settlement Agreement attached as Exhibit 1 to the Declaration of Ronald A. Marron in support of Plaintiffs' earlier motion for preliminary approval. The Court preliminarily approved the settlement on March 6, 2023. The Court now grants final approval of the settlement by separate concurrent order. Before the Court is Plaintiffs' unopposed motion for attorney's fees, costs, and service awards.

The motion came on for hearing on July 14, 2023, at 9:30 a.m. in Department 613, the Honorable Samuel K. Feng presiding. Lilach Halperin (Law Offices of Ronald Marron) appeared for Plaintiffs. Jane

1 Metcalf (Patterson Belknap Webb & Tyler LLP) appeared for Defendant. Having considered the initial  
2 and supplemental briefing, the pleadings on file, the Settlement Agreement, the oral arguments of counsel,  
3 and the supplemental declarations submitted by the class representatives, the Court **GRANTS** the motion  
4 as to fees, costs, and service awards.

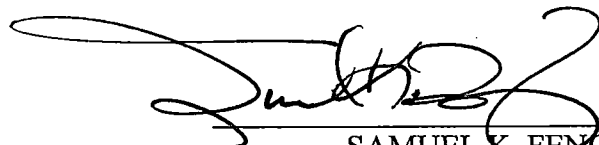
5 1. The Court awards Class Counsel attorney's fees in the amount of \$539,506.02. The Court  
6 finds this amount, which includes fees from the *Clark* litigation, to be reasonable and fair under the  
7 circumstances. Counsels' efforts in *Clark* furthered Plaintiffs' cause in this proceeding and, thus, may be  
8 compensated as part of the settlement. (See, e.g., *Ramon v. County of Santa Clara* (2009) 173  
9 Cal.App.4th 915, 922-25; *Wallace v. Consumers Coop. of Berkeley, Inc.* (1985) 170 Cal.App.3d 836,  
10 841.) In making this award, the Court has considered Plaintiffs' success at summary judgment and class  
11 certification, the experience of counsel, the supplemental briefing breaking down the hours expended by  
12 category and timekeeper, and the billing records submitted for *in camera* inspection.

13 2. The Court authorizes reimbursement of litigation costs and expenses in the amount of  
14 \$160,493.98. The Court finds that these expenses, as itemized in the supplemental briefing, were  
15 reasonably incurred in the prosecution of this action and its related predecessor, the *Clark* action.

16 3. The Court awards a service award of \$7,500.00 to each representative plaintiff Suzanne  
17 Mirzoyan and Raymond Lee. These awards are reasonable and justified in light of their contributions to  
18 the case and the risks Plaintiffs undertook in serving as Named Plaintiffs. This award is separate from  
19 and in addition to any award to which Named Plaintiffs may be entitled to as a Settling Plaintiff. This  
20 award shall be paid from the Gross Settlement Amount subject to the terms, conditions, and obligations of  
21 the Settlement Agreement.

22  
23 IT IS SO ORDERED.

24  
25 Dated: August 2, 2023

26 

27 SAMUEL K. FENG  
28 Judge of the Superior Court

**CERTIFICATE OF ELECTRONIC SERVICE**  
(CCP 1010.6(6) & CRC 2.251)

I, CLARK BANAYAD, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On August 2, 2023, I electronically served the ATTACHED DOCUMENT(S) via File&ServeXpress on the recipients designated on the Transaction Receipt located on the File&ServeXpress website.

Dated: August 2, 2023

Brandon E. Riley, Clerk

By:   
\_\_\_\_\_  
CLARK BANAYAD, Deputy Clerk