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himself and others similarly situated
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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF ORANGE
12

13 MICHAEL DEMERY, on behalf of himself and
others similarly situated,

14 Plaintiff,

15 v.

16 SECURITAS SECURITY SERVICES USA,
17 INC., a Delaware corporation, and DOES 1
through 50, inclusive,

18 Defendant.
19

Case No. 30-2019-01095304-CU-OE-CXC

[Assigned for all purposes to Hon. Peter
Wilson]

**FINAL ORDER AND JUDGMENT
GRANTING PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT, ATTORNEYS'
FEES AND COSTS, AND CLASS
REPRESENTATIVE SERVICE AWARD**

Hearing

Date: January 6, 2022

Time: 2:00 p.m.

Place: Dept. CX102

FAC Filed: January 16, 2020

Complaint Filed: September 6, 2019

Trial Date: None

25
26 WHEREAS, this matter came on for hearing on January 6, 2022, at 2:00 p.m. before the
27 Honorable Peter Wilson, in Department CX102, of the above-captioned court, located at 751
28 West Santa Ana Blvd, Santa Ana, California 92701, upon the application of the parties for

1 approval of the settlement set forth in the Joint Stipulation of Class Action Settlement and
2 Amendment thereto (together, “Joint Stipulation”), attached as Exhibits A and B to the Court’s
3 Order Granting Preliminary Approval of the Class Action Settlement filed on August 16, 2021,
4 and due and adequate notice having been given to the members of the Settlement Class, the
5 Court having considered all papers filed and proceedings in this case, and good cause appearing,

6 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that:

7 1. All defined terms contained herein have the same meaning as set forth in the Joint
8 Stipulation.

9 2. This Court has jurisdiction over the claims of Settlement Class Members asserted
10 in this proceeding and over all Parties to the Action.

11 3. The Court finds that this action is properly maintained as a class action, for
12 settlement purposes only, pursuant to California Code of Civil Procedure section 382 and
13 California Rule of Court, Rule 3.769.

14 4. The Settlement Class is defined as follows:

15 All persons residing in the United States (including all territories and political
16 subdivision of the United States) on whom Defendant procured a consumer report
17 or investigative consumer report from and including June 29, 2016 through and
including October 2, 2018 who were not on-boarded by Defendant.

18 5. CounselOne, P.C. is appointed Class Counsel.

19 6. Named Plaintiff Michael Demery is appointed as Class Representative.

20 7. The Court approves CPT Group, Inc. as the Settlement Administrator.

21 8. The Court finds that the Class Notice provided for in the Joint Stipulation and sent
22 to Settlement Class Members by the Settlement Administrator as set forth in the Declaration of
23 Abel E. Morales Regarding Settlement Claims Administration filed on December 13, 2021, was
24 the best notice practicable under the circumstances. The Class Notice provided adequate notice
25 of the proceedings and of the matters set forth therein, including the terms of Joint Stipulation, to
26 all persons entitled to such notice, and fully satisfied the requirements of the law and the
27 requirements of due process.

28 9. As of the date of the Final Approval Hearing, a total of 6,106 Settlement Class
Members have submitted valid Claim Forms, including late claims that the Parties have agreed to

1 accept.

2 10. As of the date of the Final Approval Hearing, no Settlement Class Members have
3 objected to the Settlement.

4 11. The Court finds that one (1) Settlement Class Member, Joan Larkin, submitted a
5 timely and valid request for exclusion and therefore will not be bound by this Final Order and
6 Judgment.

7 12. The Court finds that the Joint Stipulation, including the exhibits thereto, is fair,
8 reasonable, and adequate to the Settlement Class Members, is in the best interest of the
9 Settlement Class Members, has been entered into in good faith, and should be and hereby is fully
10 and finally approved. The Settlement represents a fair resolution of all claims asserted on behalf
11 of Plaintiff and the Settlement Class, and fully and finally resolves all such claims.

12 13. The Court hereby approves the Settlement set forth in the Joint Stipulation and
13 finds that the Settlement is, in all respects, fair, adequate, and reasonable, and directs the Parties
14 and Settlement Administrator to effectuate the Settlement according to its terms. The Court
15 finds that the Settlement has been reached as result of intensive, serious, and non-collusive
16 arm's-length negotiations. The Court finds that the Parties have conducted extensive
17 investigation and research and that counsel for the Parties were reasonably able to evaluate their
18 respective positions. The Court also finds that settlement at this time will avoid additional
19 substantial costs, as well as avoid the delay and risks that would be presented by the further
20 prosecution of this action. The Court notes the significant benefit made available to the
21 Settlement Class Members under the Settlement.

22 14. Plaintiff and each Settlement Class Member shall be deemed to have released and
23 forever discharged Released Parties from all Released Claims, as fully set forth in the Joint
24 Stipulation.

25 15. The requested award of attorneys' fees to Class Counsel in the amount of
26 \$725,000 and an award of costs in the amount of \$19,036.52 is approved as fair, adequate, and
27 reasonable.

28 16. The service award payment in the amount of \$5,000 to the Class

1 Representative/named Plaintiff, Michael Demery, is approved as fair and reasonable
2 compensation for the Class Representative's efforts in initiating this Action, the time and effort
3 involved, the benefits conferred on the Settlement Class, and the risks assumed by him.

4 17. The Court approves the costs of the Claims Administrator, CPT Group, Inc., in
5 the amount of \$88,000 for the notification and settlement administration services it performed in
6 connection with this action.

7 18. Consistent with the terms of the Joint Stipulation, within fourteen (14) calendar
8 days of the Final Effective Date, Defendant shall make a wire transfer to the Qualified
9 Settlement Fund created by the Settlement Administrator in the amount of the Gross Settlement
10 Fund. The Settlement Administrator shall cause the Individual Settlement Payments to
11 Authorized Claimants, the Class Representative Service Award, and Class Counsel Fees and
12 Expenses to be made within twenty-one (21) calendar days of receipt of such funds.

13 19. The Court will hold a final accounting hearing regarding the distribution of the
14 settlement funds on November 4, 2022, at 9:00 a.m. The Parties shall file a final report
15 regarding the status of settlement administration no later than October 25, 2022.

16 **Judgment**

17 20. Judgment is hereby entered pursuant to California Rules of Court, Rule 3.769(h).
18 Without affecting the finality of this Order and further pursuant to Rule 3.769(h), the Court
19 retains exclusive and continuing jurisdiction over the litigation for purposes of supervising,
20 implementing, interpreting, and enforcing this Order and the Joint Stipulation.

21 21. The Parties are ordered to comply with the terms of the Joint Stipulation to the
22 extent they are not inconsistent with this Final Approval Order.

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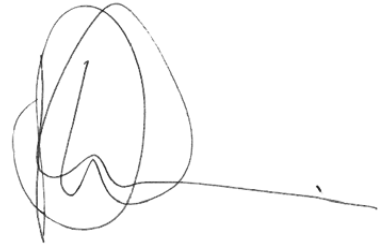
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22. Notice of the judgment shall be provided to Settlement Class Members by posting a copy of this Order on the settlement website, with a link thereto appearing on the homepage of the settlement website, within five (5) days of the entry of this Order.

IT IS SO ORDERED.

Dated: **January 07, 2022**



Honorable Peter J. Wilson
Judge of the Superior Court