

HONORABLE RONALD B. LEIGHTON

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

**PATRICIA THOMAS, et al, individually and  
on behalf of all other similarly situated  
persons,**

**Plaintiffs,**

**v.**

**KELLOGG COMPANY and KELLOGG  
SALES COMPANY,**

**Defendants.**

**Case No. 3:13-cv-05136**

**ORDER**

The Court, having reviewed the Plaintiffs’ Motion Final Approval of Fair Labor Standards Act Settlement, Service Payments, and Attorneys’ Fees and Costs, grants the Plaintiffs’ motion and orders as follows:

(i) The Court finally approves the Parties’ Final Settlement Agreement because the FLSA settlement (1) involves the resolution of a bona fide dispute over an FLSA provision and (2) is fair and reasonable;

(ii) The Court approves the requested service awards of \$20,000 to each of the 11 Named Plaintiffs, and \$5,000 to each of the 27 additional deponents, to be deducted from the gross settlement amount;

1 (iii) The Court approves the requested reimbursement of Plaintiffs' Counsels'  
2 reasonable expenses of \$239,223.73, to be deducted from the gross settlement;

3 (iv) The Court approves the Settlement Administrator's costs of approximately  
4 \$20,990, to be deducted from the gross settlement amount;

5 (v) The Court approves Plaintiffs' Counsels' reasonable fee request in the amount of  
6 \$5,496,595, to be deducted from the gross settlement amount;

7 (vi) The Court hereby approves of the release of claims, and orders that the 750  
8 Plaintiffs listed in Exhibit 1 have released their claims as provided in the Final Settlement  
9 Agreement; and

10 (vii) The Court hereby DISMISSES this action in its entirety with prejudice, dismissing  
11 the claims of the 750 Plaintiffs listed in Exhibit 1 with prejudice, which dismissal shall be  
12 effective upon the Settlement Effective Date.

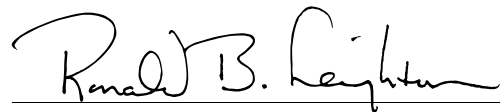
13

14 **IT IS SO ORDERED.**

15 Dated this 18th day of May 2018.

16

17



18

Ronald B. Leighton  
United States District Judge

19

20

21

22

23

24

25

26

27

28