



**FILED**  
Superior Court of California  
County of San Francisco

AUG 04 2023

CLERK OF THE COURT

BY: Rosalie H. Hooper  
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

AHMED MONEIM, D.D.S.; CHARINA  
BAILON, D.D.S.; JOYCE TSE, D.D.S.  
individually and on behalf of all others similarly  
situated,

Plaintiffs,

v.

DELTA DENTAL OF CALIFORNIA,  
a California Corporation,

Defendant.

Case No. CGC-18-565581

ORDER GRANTING PLAINTIFFS'  
MOTION FOR APPROVAL OF ATTORNEY  
FEES AND COSTS AND CLASS  
REPRESENTATIVE ENHANCEMENT  
AWARD

Plaintiffs Ahmed Moneim, D.D.S., Charina Bailon, D.D.S., and Joyce Tse, D.D.S. ("Plaintiffs") moved the Court for approval of attorney fees and costs and enhancement awards for the Class Representatives in connection with the settlement of the above matter with Defendant Delta Dental of California ("Delta Dental"). The Order Granting Renewed Unopposed Motion for Preliminary Approval of Class Action Settlement filed March 10, 2023 appointed The Goldman Law Firm as Class Counsel for the settlement class (¶ 6) and appointed the named representative Plaintiffs as representatives of the settlement class (¶ 5). The motion came on for hearing on August 4, 2023, along with Plaintiffs' motion for final approval of the amended class action settlement. Appearances are as noted in the record.

The Court has granted final approval of the settlement by separate written order (Final Approval Order). In the instant motion, Plaintiffs seek attorney fees of \$933,333.00 for Class Counsel and reimbursement of \$67,246.00 advanced for costs. In addition, Plaintiffs seek incentive awards of

1 \$3,500.00 for each of the three named Plaintiffs. There was no opposition by Defendant.

2 Having fully considered the papers filed in connection with this motion, and good cause  
3 appearing, the Court finds and orders as follows:

4 1. The Court awards Class Counsel the requested \$933,333.00 in attorney fees. Under the  
5 common fund approach for evaluating a request for attorney fees in a class action, this amount is one third  
6 of the monetary component of the Amended Settlement and within the range of attorney fee awards in  
7 class action settlement. The Court also considered that, in addition to the monetary Settlement Amount of  
8 \$2,800,000.00, the parties agree that Delta Dental relinquished claims against Class Members for  
9 outstanding reimbursement claims of approximately \$8,445,213.13. In awarding the attorney fees, as a  
10 cross-check, the Court also considered whether the requested amount was reasonable in light of the  
11 lodestar. The Court carefully considered the documentation submitted in support of the fee request,  
12 including the declarations of Class Counsel setting forth the hours expended in this matter. Class Counsel  
13 have spent at least 1,657 hours litigating the class claims through May 8, 2023 which results in a lodestar  
14 of \$805,967.50 based upon their billing rates. They have had additional work since that time preparing  
15 and presenting the motion for preliminary and final approval and will have additional work to perform on  
16 behalf of the class. In addition to the discovery associated with the litigation, there was a bench trial on a  
17 critical issue which shaped the course of the litigation. The Court finds this amount justified given the  
18 contingent nature of the litigation, the quality of representation, the benefits obtained for the class, the risk  
19 of nonpayment, the extent of the litigation to date, and the results achieved. Finally, there was no  
20 objection to the fee request from any Class Member. The award shall be paid from the monetary  
21 Settlement Amount.


22 2. The Court carefully reviewed requested claimed costs. The Court awards Settlement Class  
23 Counsel reimbursement of their litigation costs and expenses in the requested amount of \$67,246.00. The  
24 Court finds that the amount requested is reasonable and was reasonably incurred in the prosecution of this  
25 action. The award shall be paid from the monetary Settlement Amount.

26 3. The Court awards the named Class Representative Plaintiffs Ahmed Moneim, D.D.S., Charina  
27 Bailon, D.D.S., and Joyce Tse, D.D.S., a service award of \$3,500.00 each. This award is reasonable and  
28 justified in light of the Class Representative's contributions to the case and the risks they undertook in

1 serving as Class Representatives. This award is separate from and in addition to any award to which the  
2 Class Representatives may be entitled as a Settlement Class Member. The award shall be paid from the  
3 monetary Settlement Amount.

4 IT IS SO ORDERED.

5  
6 Dated: August 4, 2023

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9 Mary E. Wiss  
10 Judge of the Superior Court  
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**CERTIFICATE OF ELECTRONIC SERVICE**  
(CCP 1010.6(6) & CRC 2.260(g))

I, Rosallie Gumpal, 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 4, 2023, I electronically served the **ORDER GRANTING PLAINTIFFS' MOTION FOR APPROVAL OF ATTORNEY FEES AND COSTS AND CLASS REPRESENTATIVE ENHANCEMENT AWARD** via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Dated: August 4, 2023

Brandon E. Riley, Court Executive Officer

By:   
\_\_\_\_\_  
Rosallie Gumpal, Deputy Clerk