

1 Justin F. Marquez, SBN 262417
justin@wilshirelawfirm.com
2 Thiago M. Coelho, SBN 324715
thiago@wilshirelawfirm.com
3 Jennifer M. Leinbach, SBN 281404
jleinbach@wilshirelawfirm.com
4 Jesenia A. Martinez, SBN 316969
jesenia.martinez@wilshirelawfirm.com
5 Jesse S. Chen, SBN 336294
jchen@wilshirelawfirm.com

6 **WILSHIRE LAW FIRM, PLC**
3055 Wilshire Blvd., 12th Floor
7 Los Angeles, California 90010
8 Telephone: (213) 381-9988
Facsimile: (213) 381-9989

9 *Attorneys for Plaintiffs and*
10 *the Putative Class*

11 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**

12 **COUNTY OF LOS ANGELES**

13 WALTER PETERS, individually and on
14 behalf of all others similarly situated,

15 Plaintiffs,

16 v.

17 APPLE INC., a California corporation;
18 DOES 1 to 100, inclusive,

19 Defendants.

Case No.: 19STCV21787

CLASS ACTION

[Assigned for all purposes to Hon.
Elihu M. Berle, Dept. 6]

**NOTICE OF AUGUST 21, 2024
RULING**

Operative Complaint filed: June 30, 2023
Trial date: Not set

WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd., 12th Floor
Los Angeles, CA 90010-1137

1 **TO THE COURT, THE PARTIES, AND THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE** that, on August 21, 2024, Motion for Attorney Fees Costs,
3 and Class Representative Service Payments; Motion for Final Approval of Settlement; and
4 Motion to Seal Exhibits to the Supplemental Coelho Declaration were each heard before the
5 Honorable Elihu M. Berle, Superior Court of California, County of Los Angeles, Department 6,
6 Spring Street Courthouse, 312 N. Spring Street, Los Angeles, California, 90012. A true and
7 correct copy of the Court’s August 21, 2024 Minute Order is attached hereto as **Exhibit 1**.

8 The Court, having heard oral argument, having reviewed the papers filed in support of
9 and in opposition to, having reviewed the pleadings and papers filed herein, and for good cause
10 appearing, found and ordered as follows:

11 **THE COURT ORDERED** that the court reporter, David Hurtado (#14379), is appointed
12 as Official Reporter Pro Tempore.

13 **THE COURT FURTHER ORDERED** that Plaintiffs’ Notice of Motion and Motion to
14 Seal Exhibits to the Supplemental Coelho Declaration; Memorandum of Points and Authorities;
15 and Declaration of Justin F. Marquez filed by Jeff Torres and Diana Ismailyan on February 9,
16 2024, is **GRANTED**.

17 **THE COURT FURTHER ORDERED** that, pursuant to California Rules of Court, rule
18 2.550, the Court will allow sealing of billing records that contain specific description of work
19 performed and time spent on each individual task on this case and the motion to seal is
20 **GRANTED**.

21 **THE COURT FURTHER ORDERED** that Plaintiffs’ Motion for Attorneys’ Fees,
22 Costs, and Class Representative Service Payments’ Memorandum of Points and Authorities in
23 Support Thereof filed by Jeff Torres, Diana Ismailyan on February 6, 2024, is **GRANTED**.

24 **THE COURT FURTHER ORDERED** that all four (4) objections are **OVERRULED**.

25 **THE COURT FOUND** the settlement to be fair, reasonable, and adequate.
26
27
28

1 **THE COURT GRANTED** the following:

- 2 1. Incentive award of \$10,000.00 per plaintiff and a total of \$20,000.00;
- 3 2. Costs in the amount of \$1,429,659.29;
- 4 3. Attorney’s fees in the amount of \$6,250.00.00; and
- 5 4. Claims administration costs of \$872,283.20.

6 **THE COURT FURTHER ORDERED** that counsel submit a revised Proposed
7 Judgment, by August 27, 2024, which contains the following:

- 8 1. The identity of the four (4) opt-outs;
- 9 2. The appropriate amounts ordered;
- 10 3. Administrative expenses, attorney’s fees, costs, and incentive awards;
- 11 4. Include a paragraph at the end set forth the hearing date of the Order to Show
12 Cause re Compliance with settlement.

13 **THE COURT FURTHER ORDERED** that and Order to Show Cause Re: Compliance
14 with the terms of Settlement is scheduled for April 2, 2025, at 8:30 a.m. in Department 6 at
15 Spring Street Courthouse.

16 **THE COURT FURTHER ORDERED** that counsel shall submit a report and
17 declaration from the claims administrator on March 24, 2025.

18 **THE COURT FURTHER ORDERED** that Plaintiffs shall give notice and post a copy
19 of same on the parties’ electronic service website, CaseAnywhere.

20 **IT WAS SO ORDERED AND FOUND.**

21
22
23 Dated: August 26, 2024

Respectfully submitted,

24 /s/ *Thiago M. Coelho*
25 _____
26 Thiago M. Coelho, Esq.
27 **WILSHIRE LAW FIRM, PLC**
28 Attorneys for Plaintiffs and
 the Putative Class

EXHIBIT 1

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 6

19STCV21787

WALTER PETERS vs APPLE INC.

August 21, 2024

9:00 AM

Judge: Honorable Elihu M. Berle
Judicial Assistant: Aldwin Lim
Courtroom Assistant: Martha Molinar

CSR: David Hurtado #14379
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Thiago Merlini Coelho; Justin F Marquez

For Defendant(s): Michelle Carrie Doolin; Maurice Werter Trevor

NATURE OF PROCEEDINGS: Hearing on Motion for Attorney Fees Costs, and Class representative Service Payments; Hearing on Motion for Final Approval of Settlement; Hearing on Motion to Seal Exhibits to the Supplemental Coelho Declaration

The Order Appointing Court Approved Reporter as Official Reporter Pro Tempore is signed and filed this date. David Hurtado #14379

The matter is called for hearing.

The above-entitled motions are heard and argued. The Court rules as follows:

The Plaintiffs' Notice of Motion and Motion to Seal Exhibits to The Supplemental Coelho Declaration; Memorandum of Points and Authorities; Declaration of Justin F. Marquez filed by Jeff Torres, Diana Ismailyan on 02/09/2024 is Granted.

The Court will allow sealing of billing records that contain specific description of work performed and time spend on each individual task on this case. Pursuant to California Rules of Court 2.550, the motion to seal is Granted.

The Plaintiffs' Motion for Attorneys' Fees, Costs, and Class Representative Service Payments' Memorandum of Points and Authorities in Support Thereof filed by Jeff Torres, Diana Ismailyan on 02/06/2024 is Granted.

The Plaintiffs' Motion for Final Approval of Class Action Settlement filed by Diana Ismailyan, Jeff Torres on 02/02/2024 is Granted.

The Court overrules all four (4) objections.

The Court finds the settlement to be fair, reasonable, and adequate.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 6

19STCV21787

WALTER PETERS vs APPLE INC.

August 21, 2024

9:00 AM

Judge: Honorable Elihu M. Berle

Judicial Assistant: Aldwin Lim

Courtroom Assistant: Martha Molinar

CSR: David Hurtado #14379

ERM: None

Deputy Sheriff: None

The Court Grants the following:

1. Incentive award of \$10,000.00 per plaintiff and a total of \$20,000.00
2. Costs in the amount of \$1,429,659.29
3. Attorney's fees in the amount of \$6,250,000.00
4. Claims administration costs of \$872,283.20

Counsel is ordered to submit a revised Proposed Judgment, by 8/27/24, which contains the following:

1. The identity of the four (4) opt-outs;
2. The appropriate amounts ordered;
3. Administrative expenses, attorney's fees, costs and incentive awards;
4. Include a paragraph at the end set forth the hearing date of the OSC re Compliance with settlement.

Order to Show Cause Re: Compliance with the terms of Settlement is scheduled for 04/02/25 at 08:30 AM in Department 6 at Spring Street Courthouse.

Counsel is ordered to submit a report and declaration from claims administrator's 3/24/25.

Plaintiff is directed to give notice and post a copy of same on the parties' electronic service website.

WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd., 12th Floor
Los Angeles, CA 90010-1137

PROOF OF SERVICE
Peters v. Apple Inc., et al.
19STCV21787

I, K. Elizabeth Maddison, am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to this action. My business address is 3055 Wilshire Blvd., 12th Fl., Los Angeles, California 90010. My electronic service address is elizabeth.maddison@wilshirelawfirm.com. On **August 26, 2024**, I served the foregoing document described as:

NOTICE OF AUGUST 21, 2024 RULING

[✓] **BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed above via third-party cloud service **CASEANYWHERE**.

Beatriz Mejia
Max A. Bernstein
Anupam S. Dhillon
Cooley, LLP
3 Embarcadero Center, 20th Floor
San Francisco, CA 94111
Telephone: 415-693-2000
Facsimile: 415-693-2222
mejia@cooley.com
mberstein@cooley.com
adhillon@cooley.com
Attorneys for Defendant, Apple Inc.

Michelle C. Doolin
Cooley, LLP
10265 Science Center Drive
San Diego, CA 92121
Telephone: 858-550-6000
Facsimile: 858-550-6420
mdoolin@cooley.com
Attorneys for Defendant Apple Inc.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this **August 26, 2024**, at Los Angeles, California.

/s/ Elizabeth Maddison

Elizabeth Maddison