

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

Mark Drust individually and as a
representative of a class of similarly situated
persons, and on behalf of the Southwest
Research Institute Retirement Plan

Plaintiff,

v.

Southwest Research Institute, and John Does
1-20,

Defendants.

Civil Case No. 5:23-cv-767-XR

**ORDER ON PLAINTIFF'S MOTION FOR ATTORNEYS' FEES AND COSTS,
ADMINISTRATIVE EXPENSES, AND CLASS REPRESENTATIVE SERVICE AWARD**

This matter came before the Court on a Fairness Hearing on August 9, 2024. During the Fairness hearing, the Court considered, among other things, Plaintiff's Motion for Attorneys' Fees and Costs, Administrative Expenses, and Class Representative Service Award (ECF No. 39). This motion is unopposed by Defendants.

Having considered the motion papers, the proposed Settlement Agreement which the Court preliminarily approved on March 13, 2024, the arguments of counsel, and all files, records, and proceedings in this action, and otherwise being fully informed in the premises as to the facts and the law,

It is hereby ORDERED as follows:

1. Class Counsel's request for an award of \$100,000 in attorneys' fees is approved. Having reviewed Class Counsel's application and the applicable legal authorities, the Court finds

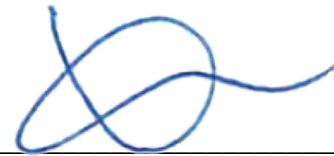
the requested amount (one-fifth of the \$500,000 Qualified Settlement Fund) to be reasonable and appropriate.

2. Class Counsel's request for litigation expenses in the amount of \$7,325.35¹ and settlement administration expenses in the amount of \$37,700 is approved. The Court has reviewed these expenses and finds that they are reasonable and appropriate given the nature of this action.

3. Plaintiff's request for a class representative service award in the amount of \$2,500 to Named Plaintiff Mark Drust is approved. The Court finds this award to be justified under the facts of this case and consistent with applicable legal authorities.

IT IS SO ORDERED.

Dated: August 9, 2024



Hon. Xavier Rodriguez
United States District Judge

¹Plaintiff's Motion for Attorneys' Fees and Costs, Administrative Expenses, and Class Representative Service Award (ECF No. 39) originally accounted for costs associated with an in-person Fairness Hearing. However, Counsel for Plaintiff attended the Fairness Hearing on August 9th via video conferencing and requested the decreased amount reflected here to account for the cost savings associated with that change.