

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: PROCESSED EGG PRODUCTS : MULTIDISTRICT
ANTITRUST LITIGATION : LITIGATION
: :
: :
: :
THIS DOCUMENT APPLIES TO: :
All Direct Purchaser Actions : No. 08-md-2002

ORDER

AND NOW, this 5th day of July, 2016, upon consideration of the Direct Purchaser Plaintiff's Motion for an Award of Attorneys' Fees and for Reimbursement of Expenses (Doc. No. 1118), as well as the supporting memorandum and Declaration of Mindee J. Ruben, and following the May 21, 2015 hearing on the Motion, the Court hereby **ORDERS** that:

1. Direct Purchaser Plaintiffs are awarded reimbursement of expenses in the amount of \$ 1,314,552,62; and,
2. Each individual Class representative for the Direct Purchaser Plaintiffs shall be awarded \$25,000 for their efforts in this litigation on behalf of the Class as detailed in the Plaintiff's Memorandum, for a total of \$ 225,000.¹

¹ Incentive awards are intended to "compensate named plaintiffs for the services they provided and the risks they incurred during the course of class action litigation." *Chakejian v. Equifax Info. Servs., LLC*, 275 F.R.D. 201, 220 (E.D. Pa. 2011) (citation omitted). "[T]o be entitled to an incentive award, the named plaintiff must show: (1) the risks that the named plaintiff undertook in commencing class action; (2) any additional burdens assumed by the named plaintiff but not unnamed class members; and (3) the benefits generated to class members through the named plaintiff's efforts." *Good v. Nationwide Credit, Inc.*, 314 F.R.D. 141, 160 (E.D. Pa. 2016) (citing *In re U.S. Bioscience Sec. Litig.*, 155 F.R.D. 116, 121 (E.D.Pa.1994)).

As set out in the Declaration of Mindee J. Ruben In Support of the Direct Purchaser Plaintiffs' Motion for Reimbursement of Expenses and Incentive Awards to Class Members, dated January 15, 2015, the Class representatives expended substantial effort in discovery and monitoring the litigation general. As a result of their work, the plaintiffs have secured over \$50 million in settlements. In undertaking this responsibility, the Class representatives placed themselves at risk of retaliation by defendants, given their continued purchase of eggs and

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BY THE COURT:

Gene E.K. Pratter

GENE E.K. PRATTER
United States District Judge

egg products following the litigation. In light of this, the Court finds that the proposed award of \$225,000 represents a reasonable amount in light of the work done.