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9

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12

13 SHAWN BLOUIN, individually and on  
14 behalf of other persons similarly situated,

15 Plaintiff,

16 vs.

17 COMCAST CORP. and DOES 1-50,  
18 Defendants.  
19  
20  
21  
22  
23  
24  
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27  
28

Case No. 3:08-CV-04787-MEJ

**[PROPOSED] ORDER AWARDING  
CLASS REPRESENTATIVE  
ENHANCEMENT, ATTORNEY'S  
FEES, AND COSTS**

SPIRO MOSS LLP

1 **TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:**

2 Plaintiff has filed a motion for an order awarding Class Representative  
3 Enhancement, Attorney’s Fees, and Costs in connection with the class action  
4 settlement reached between Plaintiff Shawn Blouin (“Plaintiff”) and Defendant  
5 Comcast Corp. (“Defendant”).

6 Plaintiff Shawn Blouin has been approved by the Court as the Class  
7 Representative. Ira Spiro, H. Scott Leviant and Linh Hua of Spiro Moss LLP have  
8 been appointed Class Counsel.

9 After reviewing the unopposed Motion of Plaintiff and other related  
10 documents, and having heard the argument of Counsel for respective parties, if any,

11 **IT IS HEREBY ORDERED AS FOLLOWS:**

12 1. The Motion for an Award of Class Representative Enhancement,  
13 Attorney’s Fees, and Costs was timely filed so as to satisfy the notice and objection  
14 opportunity required by *In re Mercury Interactive Corp. Securities Litigation*, 618  
15 F.3d 988 (9th Cir. 2010).

16 2. The Court finds that Class Counsel, Spiro Moss, LLP, has skillfully  
17 advanced legal theories on a contingent-fee basis, and their efforts resulted in a  
18 substantial recovery for the Class. Accordingly, the Court grants an award of  
19 attorney’s fees in the total amount of \$437,500, to be paid to Spiro Moss LLP  
20 according to the terms of the Joint Stipulation of Class Action Settlement and  
21 Release. The Court also finds that:

- 22 (a) the attorney’s fees awarded are reasonable after comparing the  
23 lodestar fee calculation to the agreed upon attorney’s fees;  
24 (b) Class Counsel has had substantial experience with the causes of  
25 action alleged in this action;  
26 (c) Class Counsel assumed risk when agreeing to litigate this matter  
27 on a contingent basis.  
28

1           3.       The Court finds that Plaintiff Shawn Blouin provided valuable services  
2 to the Class, for which a substantial recovery was obtained. Accordingly, the Court  
3 awards an enhancement payment of \$10,000, to be paid to Shawn Blouin according  
4 to the terms of the Joint Stipulation of Class Action Settlement and Release.

5           4.       The Court finds that the \$26,593.33 in costs incurred by Spiro Moss  
6 LLP were reasonable and necessary to properly prosecute this matter as a potential  
7 class action and obtain a class-wide settlement. However, because the parties have  
8 agreed that Spiro Moss LLP shall receive no more than \$25,000 as reimbursement  
9 of costs incurred in this matter, the Court awards \$25,000 in costs, to be paid to  
10 Spiro Moss LLP according to the terms of the Joint Stipulation of Class Action  
11 Settlement and Release.

12  
13 **IT IS SO ORDERED.**

14  
15 Dated: \_\_\_\_\_

\_\_\_\_\_ **Hon. MARIA-ELENA JAMES**  
**UNITED STATES**  
**MAGISTRATE JUDGE**

SPIRO MOSS LLP

Diana Lee

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**From:** ECF-CAND@cand.uscourts.gov  
**Sent:** Thursday, March 03, 2011 5:08 PM  
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U.S. District Court  
Northern District of California  
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The following transaction was received from by Leviant, Howard entered on 3/3/2011 5:08 PM PST and filed on 3/3/2011

**Case Name:** Blouin v. Comcast Corp.  
**Case Number:** [3:08-cv-04787-MEJ](#)  
**Filer:** Shawn Blouin  
**Document Number:** [45](#)

**Docket Text:**

**MOTION for Attorney Fees Class Representative Enhancement and Costs filed by Shawn Blouin. Motion Hearing set for 7/14/2011 10:00 AM in Courtroom B, 15th Floor, San Francisco before Magistrate Judge Maria-Elena James. (Attachments: # (1) Affidavit of H. Scott Leviant, Esq., # (2) Proposed Order)(Leviant, Howard) (Filed on 3/3/2011)**

**3:08-cv-04787-MEJ Notice has been electronically mailed to:**

Daryl Steven Landy [dlandy@morganlewis.com](mailto:dlandy@morganlewis.com), [richard.jackson@morganlewis.com](mailto:richard.jackson@morganlewis.com)

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**3:08-cv-04787-MEJ Please see [General Order 45 Section IX C.2 and D](#); Notice has NOT been electronically mailed to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**C:\fakepath\2011 03-01 PLD-MTN for Fees - Costs - Enhancements - Final - Comcast.pdf

**Electronic document Stamp:**

[STAMP CANDStamp\_ID=977336130 [Date=3/3/2011] [FileNumber=7227754-0] [79bf1a1b86abca1b4ae55bf30a362e80cdbdcc37f3a5e2c19d51288aa29a858cab62a6ee58429c811b4517a7bd233ef63276bcade9c2f274d41dcf28e89f6bf5]]

**Document description:**Affidavit of H. Scott Leviant, Esq.

**Original filename:**C:\fakepath\2011 03-01 PLD-DEC of HSL re Fees - Costs - Enhancements - Complete - Comcast.pdf

**Electronic document Stamp:**

[STAMP CANDStamp\_ID=977336130 [Date=3/3/2011] [FileNumber=7227754-1] [9cd194b80dfd2fb56c6df83570ad536b1f74bc39da8c57c7d705b79558db53ae058695b1895211f80115b591a82810eaebdb64e1bfe0a85f9abc83d08e35f743]]

**Document description:**Proposed Order

**Original filename:**C:\fakepath\2011 03-01 PLD-ORD re Fees - Costs - Enhancements - Comcast.pdf

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[STAMP CANDStamp\_ID=977336130 [Date=3/3/2011] [FileNumber=7227754-2] [a84465b5ae9c9df5a3673ca2617f407452c3fd07d4101f12df70ff8c70c98c1e2e5a28dcac99a0823f42ef3b690d9b3b759f995a01fefc665fb8cf7a68555885]]