

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOSEPH ZIMMERMAN, ANTHONY
DEVITO, and SEAN DONNELLY,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

PARAMOUNT GLOBAL, COMEDY
PARTNERS and DOES 1-10,

Defendants.

MICHAEL KAPLAN, an individual on
behalf of himself and all others similarly
situated,

Plaintiff,

v.

COMEDY PARTNERS, a New York general
partnership,

Defendant.

Case No. 1:23-cv-2409 (VSB)

Hon. Vernon S. Broderick

Consolidated with:

Case No. 1:22-cv-09355 (VSB)

**[PROPOSED] ORDER RE GRANTING CLASS COUNSELS' MOTION FOR
ATTORNEYS' FEES, COSTS AND SERVICE AWARDS**

This matter having come before the Court on July 22, 2025, the Court having considered all papers filed and proceedings held in connection with Plaintiff's Motion For Attorneys' Fees, Costs and Service Awards, and notice having been given to the Class as required by the March 11, 2024 Preliminary Approval Order (ECF No. 60), the Court finds and orders as follows:

1. The Court has jurisdiction over the subject matter of the Action and over all parties to the Action, including all members of the Class.
2. Notice of the fee and expense application was provided to Class Members in a reasonable manner, and such Notice complies with Rule 23(h)(1) of the Federal Rules of Civil Procedure. The Notice mailed to Class Members stated that Class Counsel would apply to the Court for an award of attorneys' fees not to exceed 33% of the Gross Settlement Amount (or, \$3,666,666.66) plus litigation expenses incurred in the prosecution of the case, not to exceed \$100,000.00.
3. Class Counsel is hereby awarded attorneys' fees in the amount of \$3,666,666.66. Having reviewed Class Counsel's application, the Court finds the requested amount of attorneys' fees to be fair, reasonable and appropriate pursuant to *Goldberger v. Integrated Res., Inc.*, 209 F.3d 43 (2d Cir. 2000), and other applicable case law. The Court finds that the requested fee award of \$3,666,666.66, equal to one-third of the common fund created relating to the retrospective portion of the settlement, is appropriate after considering, among other things: (a) the time and labor expended by counsel; (b) the magnitude and complexities of the litigation; (c) the risk of the litigation; (d) the quality of representation; (e) the requested fee in relation to the settlement; and (f) public policy considerations. The Court further finds the fee award in line with other settlements of this nature in this District. The Court has

confirmed the reasonableness of the fee request by conducting a lodestar cross-check using current hourly rates which are appropriate for this District.

4. Class Counsel's request for litigation expenses in the amount of \$78,073.50 is hereby approved. The Court finds these expenses to be reasonable, appropriate and necessarily incurred for the prosecution and resolution of the Action.
5. Plaintiffs Michael Kaplan, Joseph Zimmerman, Anthony DeVito, and Sean Donnelly are hereby each awarded a service payment in the amount of \$5,000. The Court finds this award to be justified under the facts of this case and consistent with applicable legal authorities and that the class received notice of the request which stated that a service payment of \$5,000.00 per plaintiff would be sought.

SO ORDERED.

Dated: _____

HON. VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE