1		Honorable Marsha J. Pechman
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6	UNITED STAT	ES DISTRICT COURT
7	WESTERN DISTRICT OF WASHINGTON AT SEATTLE	
		SEATTEE
8	CONRAD REYNOLDSON, STUART PIXLEY, and DAVID WHEDBEE, on	No. 2:15-cv-01608-BJR
9	behalf of themselves and all others similarly situated,	ORDER GRANTING PLAINTIFFS' MOTION FOR AN AWARD OF REASONABLE
10	Plaintiffs,	ATTORNEYS' FEES, COSTS, AND EXPENSES
11	Fiantinis,	CLASS ACTION
12	v.	
13	CITY OF SEATTLE, a public entity,	
14	Defendant.	
15	Plaintiffs Conrad Reynoldson, Stuart	Pixley, and David Whedbee ("Plaintiffs"), and
16	Defendant City of Seattle ("the City") have entered into a Consent Decree to settle this matter,	
17	after three years of arm's length settlement ne	egotiations, both face-to-face between the parties
18	and with assistance of a mediator. The parties submitted the Consent Decree to this Court on	
19	July 17, 2017, and the Court preliminarily ap	proved the Consent Decree on July 19, 2017. The
20	Consent Decree provided that Plaintiffs woul	d move the Court for an award of reasonable
21	attorneys' fees, costs, and expenses not to ex-	ceed \$1.4 million for the time period from the
22		
23		
	Case No. 2:15-cv-01608-BJR Order Granting Motion for an Award of Reaso Attorneys' Fees, Costs, and Expenses Page 1	NABLE
23	ORDER GRANTING MOTION FOR AN AWARD OF REASO ATTORNEYS' FEES, COSTS, AND EXPENSES	NABLE

inception of the matter through the Effective Date of the Consent Decree. The City agreed to not contest this motion.

In the preliminary approval order, the Court directed Plaintiffs to provide notice to the putative class of the terms of the proposed settlement, including the amount of attorneys' fees, costs, and expenses that Plaintiffs would be seeking for work performed up to the Effective Date of the Consent Decree. Plaintiffs provided notice to the Settlement Class as directed, and filed their motion for an award of reasonable attorneys' fees, costs, and expenses on September 6, 2017, pursuant to the deadline set by the Court in its Order (1) Granting Preliminary Approval of Settlement; (2) Granting Certification of Settlement Class; (3) Directing Notice to the Class; and (4) Setting Date for Fairness Hearing, ECF No. 42, ¶ 10.e. No member of the Settlement Class has objected to Plaintiffs' requested award of attorneys' fees, costs, and expenses.

Based on the Court's consideration of Plaintiffs' Motion for an Award of Reasonable Attorneys' Fees, Costs, and Expenses, and the documents provided to the Court in support, the Court finds as follows:

Plaintiffs are prevailing parties under the Americans with Disabilities Act, Section
 504 of the Rehabilitation Act of 1973, and the Washington Law Against Discrimination. *See* 42
 U.S.C. § 12205; 29 U.S.C. § 794a(b); Rev. Code Wash. § 49.60.030(2); *Jankey v. Poop Deck*,
 537 F.3d 1122, 1130 (9th Cir. 2008).

Plaintiffs sought an award of \$1.4 million in fees and costs to compensate Class
 Counsel for their time, expenses, and costs on this matter since its inception through the
 Effective Date of the Consent Decree. To date, Class Counsel has accrued a total of
 approximately \$2 million in their lodestar attorneys' fee, expenses, and out-of-pocket costs on
 this case. The Court finds that \$1,388,729 of the attorneys' fees, expenses and costs sought by
 Case No. 2:15-cv-01608-BJR
 ORDER GRANTING MOTION FOR AN AWARD OF REASONABLE
 ATTORNEYS' FEES, COSTS, AND EXPENSES
 Page 2

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 expended to obtain the Consent Decree on behalf of the Settlement Class, Class Counsel's experience in litigating and negotiating settlement of disability rights class actions, patthose involving similar claims for accessibility of the pedestrian right of way for individed mobility disabilities, and the result obtained in this case on behalf of the Settlement Class Moreover, \$1,388,729 is significantly less than Class Counsel's actual lodestar fee. If \$1,388,729 includes compensation for Class Counsel's reasonable litigation expenses pocket costs, which total approximately \$50,000. Accordingly, the Court finds that a \$1,388,729 in attorneys' fees, costs, and expenses through the Effective Date is reasonable as a standard of the Court's findings, the Court ORDERS: 1. Plaintiffs' Motion for an Award of Reasonable Attorneys' Fees, Costs, Expenses is GRANTED IN PART and DENIED IN PART. 		
 experience in litigating and negotiating settlement of disability rights class actions, pathose involving similar claims for accessibility of the pedestrian right of way for individual in this case on behalf of the Settlement C Moreover, \$1,388,729 is significantly less than Class Counsel's actual lodestar fee. If \$1,388,729 includes compensation for Class Counsel's reasonable litigation expenses pocket costs, which total approximately \$50,000. Accordingly, the Court finds that a \$1,388,729 in attorneys' fees, costs, and expenses through the Effective Date is reason Based on the Court's findings, the Court ORDERS: Plaintiffs' Motion for an Award of Reasonable Attorneys' Fees, Costs, Expenses is GRANTED IN PART and DENIED IN PART. Defendant shall pay \$1,388,729 to Plaintiffs in attorneys' fees , costs, it expenses, within the time period set forth in the Consent Decree. IT IS SO ORDERED. Dated this 1st day of November, 2017. <i>Marsha J. Pechman</i> United States District Judge <i>//</i> <i>//</i>	1	Plaintiffs is reasonable in light of the types of work and number of hours Class Counsel
 those involving similar claims for accessibility of the pedestrian right of way for indivision individual disabilities, and the result obtained in this case on behalf of the Settlement C Moreover, \$1,388,729 is significantly less than Class Counsel's actual lodestar fee. If \$1,388,729 includes compensation for Class Counsel's reasonable litigation expenses pocket costs, which total approximately \$50,000. Accordingly, the Court finds that a \$1,388,729 in attorneys' fees, costs, and expenses through the Effective Date is reasonable as a \$1,388,729 in attorneys' fees, costs, and expenses through the Effective Date is reasonable as a \$1,388,729 in attorneys' fees, costs, and expenses through the Effective Date is reasonable as a \$1,388,729 in attorneys' fees, costs, and expenses through the Effective Date is reasonable as a \$1,388,729 in attorneys' fees, costs, and expenses through the Effective Date is reasonable as a \$1,388,729 in attorneys' fees, costs, and expenses through the Effective Date is reasonable as a \$1,388,729 in attorneys' fees, costs, and expenses through the Effective Date is reasonable as a \$1,388,729 in attorneys' fees, costs, and expenses through the Effective Date is reasonable as a \$1,388,729 in attorneys' fees, costs, and expenses, within the time period set forth in the Consent Decree. IT IS SO ORDERED. Dated this 1st day of November, 2017. <i>IT</i> IS SO ORDERED. Dated this 1st day of November, 2017. <i>If X X X X X X X X X X</i>	2	expended to obtain the Consent Decree on behalf of the Settlement Class, Class Counsel's
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6 Moreover, \$1,388,729 is significantly less than Class Counsel's actual lodestar fee. I 7 \$1,388,729 includes compensation for Class Counsel's reasonable litigation expenses 8 pocket costs, which total approximately \$50,000. Accordingly, the Court finds that a 9 \$1,388,729 in attorneys' fees, costs, and expenses through the Effective Date is reason 10 Based on the Court's findings, the Court ORDERS: 11 1. Plaintiffs' Motion for an Award of Reasonable Attorneys' Fees, Costs, 12 Expenses is GRANTED IN PART and DENIED IN PART. 13 2. Defendant shall pay \$1,388,729 to Plaintiffs in attorneys' fees, costs, and 14 expenses, within the time period set forth in the Consent Decree. 15 IT IS SO ORDERED. 16 Dated this 1st day of November, 2017. 17 18 19 <i>Marsha J. Pechman</i> 20 21 21 // 22 // 23 // 24 // 25 Gase No. 2:15-cv-01608-BIR 26 7 27 // 28 Case No. 2:15-cv-01608-BIR 29 Case No. 2:15-c	4	those involving similar claims for accessibility of the pedestrian right of way for individuals with
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	23	ORDER GRANTING MOTION FOR AN AWARD OF REASONABLE Attorneys' Fees, Costs, and Expenses

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