

**THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MICHELLE HALL, on behalf of
herself, individually and on behalf of
all similarly situated individuals,

Plaintiffs,

v.

ADELPHIA THREE CORP. d/b/a/
PHILY DINER, PETRO KONTOS,
WILLIAM BALIS,

Defendants.

Civil No. 1:21-cv-01106-CPO-SAK

**PLAINTIFFS' UNOPPOSED MOTION FOR FINAL SETTLEMENT
APPROVAL, ATTORNEYS' FEES AND EXPENSES, SERVICE AWARD,
AND SETTLEMENT ADMINISTRATION COSTS**

For the reasons set forth in the accompanying Memorandum of Law in Support of this Unopposed Motion, and there being ***no objections or exclusions to the settlement*** by the Class/Collective members, Plaintiff Michele Hall, respectfully requests that the Court enter an Order:

1. Granting final approval to the settlement as detailed in the Joint Stipulation of Settlement and Release Agreement (“Settlement Agreement”) (ECF No. 76-3).

2. Approving the Settlement Payment payable to members of the Class/Collective according to the pro rata distribution protocol set forth in the Settlement Agreement, as the factors described in *Girsh v. Jepson*, 521 F.2d 153 (3d Cir. 1975), *In re Prudential Ins. Co. Am. Sales Practice, Litig.*, 148 F.3d 283 (3d Cir. 1998), and *In re Baby Prods. Antitrust Litig.*, 708 F.3d 163 (3d Cir. 2013) weigh in favor of approval of the settlement, as detailed in Plaintiffs’ accompanying Memorandum of Law.

3. Approving the requested service award of \$10,000 to the named Plaintiff Michele Hall in recognition of her role in initiating the lawsuit and diligently pursuing their legal claims on behalf of the Settlement Class/Collective. This award falls within the range of service awards approved in other wage/overtime class/collective action lawsuits.

4. Approving, pursuant to Federal Rule of Civil Procedure 23(h), the

requested payment of attorney's fees to McOmber McOmber & Luber, P.C. in the amount of \$300,000, as well as reimbursement in the amount of \$18,861.46 in litigation expenses.

5. Approving the payment of the costs of notice and administration to Angeion Group LLC not to exceed a total \$30,000, inclusive of monies already paid by Class Counsel.

6. And, dismissing the action with prejudice, although the Court will retain jurisdiction over the interpretation, enforcement, and implementation of the Settlement Agreement.

7. Plaintiffs have submitted an accompanying proposed form of Order.

Respectfully submitted,

Dated: December 21, 2023

By: /s/ Charles J. Kocher

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