

## Roberts v. Texaco, Inc.

United States District Court for the Southern District of New York  
July 29, 1997, Decided ; July 29, 1997, Filed  
94 Civ. 2015 (CLB)

**Reporter:** 1997 U.S. Dist. LEXIS 15094

BARI-ELLEN ROBERTS, SIL CHAMBERS, JANET LEIGH WILLIAMS, MARSHA HARRIS, BEATRICE HESTER and VERONICA SHINAULT, Plaintiffs, -against- TEXACO, INC., Defendant.

**Disposition:** [\*1] Motion by Plaintiffs for Partial Adoption of the Special Masters Report, granted.

**Counsel:** For Plaintiffs: Daniel L Berger, Bernstein Litowitz Berger & Grossman LLP, New York, NY.

For Defendant: Andrea S Christensen, Kaye Scholer Fierman Hays & Handler, New York, NY.

**Judges:** Charles L. Brieant, U.S.D.J.

**Opinion by:** Charles L. Brieant

### Opinion

#### ORDER

*Brieant, J.*

Upon all papers and proceedings had herein, the Motion by Plaintiffs for Partial Adoption of the Special Masters Report, which motion was filed July 29, 1997 is granted, and

#### IT IS HEREBY ORDERED:

1. The Court has reviewed the Special Master's Report and concludes that it is reasonable and well-founded based upon the record in the Action. Accordingly, the Special Master's Report of Charles G. Moerdler, Esq. dated July 22, 1997 is adopted by the Court, except for that part of the Report which relates to the application of plaintiff Veronica Shinault for an individual incentive award. For the reasons set forth therein, the Court finds that the Special Master's recommended awards of attorneys' fees and incentive awards for named plaintiffs Bari-Ellen Roberts, Sil Chambers, Janet Leigh Williams, Marsha Harris and Beatrice Hester are [\*2] fair, appropriate and reasonable, and that there is no opposition thereto except with respect to the amount of the recommended incentive award for Veronica Shinault.

2. Plaintiffs' counsel are awarded attorneys' fees for services rendered prior to the entry of judgment in the

Action in the amount of \$ 19,154,144.62. Said fees shall be withdrawn from the Settlement Fund and paid to plaintiffs' counsel upon entry of this Order.

3. Named plaintiffs Roberts, Chambers, Williams, Harris and Hester are awarded individual incentive awards in the amounts set forth in the Special Master's Report, said awards to be withdrawn from the Settlement Fund and paid upon entry of this Order.

4. The sum of \$ 1,000,000.00 as attorneys' fees for services to be rendered in the future by plaintiffs' counsel in this Action, payable over a five-year period in bi-annual installments is reserved to be disbursed upon bi-annual application to and approval by the Court.

5. Plaintiff Veronica Shinault is authorized to file written objections to that part of the Special Master's Report that relates to her application for an individual incentive award in the form and manner specified in the Special Master's Report, [\*3] by no later than August 4, 1997.

6. Class Counsel are authorized and directed to distribute \$ 82,000,000.00 from the Settlement Fund to Class Members, in accordance with the Plan of Allocation approved by the Court and the application of the factors contained therein. Said distributions shall be made as soon as practicable after entry of this Order.

7. The monies remaining in the Settlement Fund after these distributions shall continue to be held in escrow, at interest, pending further order of the Court.

8. The results of the application of the factors contained in the Plan of Allocation, by Class Counsel, are approved.

9. The Court retains jurisdiction over the parties and the subject matter of the action for the purpose of administering the settlement and for the entry of such other or further orders or supplemental judgments as Justice may require.

SO ORDERED.

Dated: White Plains, New York

July 29, 1997

Charles L. Brieant, U.S.D.J.