

SEP 11 2003

For The Northern Mariana Islands
By _____
(Deputy Clerk)

For Publication on Web Site

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN MARIANA ISLANDS

DOES I, et al., On Behalf of Themselves
and All Others Similarly Situated,

Plaintiffs,

v.

ADVANCE TEXTILE CORP., et al.,

Defendants.

Civil Case No. 99-0002

ORDER GRANTING DUAN &
DUAN AND WILLIAMS
KASTNER & GIBBS' MODIFIED
MOTION FOR COURT
APPROVAL OF FEES AND
COSTS

THIS MATTER came before the court on September 11, 2003 for hearing on Duan & Duan and Williams Kastner & Gibbs' Modified Motion for Court Approval of Fees and Costs.

Attorneys Danilo Aguilar, Jerry Edmonds (via telephone) and Angelique Davis (via telephone) appeared on behalf of plaintiffs' counsel Duan & Duan and Williams Kastner & Gibbs. Attorney Pamela Parker appeared via telephone on behalf of plaintiffs' other counsel, Milberg Weiss Bershad Hynes & Lerach, LLP, Altshuler, Berzon, Nussbaum, Rubin & Demain and Teker Civile Torres & Tang.

1 Upon consideration of the written and oral arguments of counsel, Duan & Duan and
2 William Kastner & Gibbs' (hereinafter "Duan & Duan") Modified Motion for Court Approval of
3 Fees and Costs is GRANTED as set forth herein.

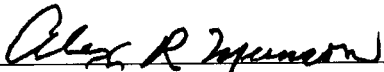
4 Duan & Duan represented to the court that the total attorneys' fees and costs expended in
5 this case was \$556,807.49 at their standard rate and \$359,355.49 at their discounted rate.
6 However, Duan & Duan only requests a total of \$130,000.00 for reimbursement of their
7 attorneys' fees and costs. Plaintiffs' other counsel have agreed to pay Duan & Duan from the
8 portion of the settlement fund earmarked for fees and expenses whatever amount the court
9 awards Duan & Duan, up to a maximum of \$130,000.00. The court finds Duan & Duan's
10 request for \$130,000.00 in attorneys' fees and costs reasonable. Accordingly, Duan & Duan's
11 request for reimbursement of their attorneys' fees and costs in the amount of \$130,000.00 is
12 GRANTED.

13 Duan & Duan also requested that they be allowed to retain the \$32,210.60 in cost
14 reimbursements they received from the plaintiffs they represent in this case. Duan & Duan
15 represented that they requested approximately \$45.00 from each plaintiff to defray the significant
16 expenses in this case. Duan & Duan represented to the court that their representation of the
17 plaintiffs was not conditioned on their ability to pay the \$45.00 cost reimbursement. The court
18 finds that the \$45.00 cost reimbursement per plaintiff for a total of \$32,210.60 is reasonable for
19 Duan & Duan to retain, especially given that Duan & Duan have already discounted their total
20 attorneys' fees and costs. The \$45.00 cost reimbursement fee was not a condition of Duan &
21 Duan's representation and the cost reimbursements received do not come close to covering the
22
23
24
25
26

1 actual costs expended in this case. Accordingly, Duan & Duan's request for retention of the
2 \$32,210.60 in cost reimbursements is GRANTED.

3 IT IS SO ORDERED.

4 Dated this 11th day of September, 2003.
5
6
7

8 

9 Alex R. Munson
10 Chief Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26