

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

SERGIO VILLAGOMEZ, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

ISOLVED HCM, LLC, a Delaware corporation,

Defendant.

Case No.: 19-CH-12932

Hon. Allen P. Walker

**ORDER GRANTING PLAINTIFF'S
MOTION FOR ATTORNEYS' FEES, EXPENSES, AND INCENTIVE AWARD**

This matter coming before the Court on Plaintiff's Motion and Memorandum of Law for Attorneys' Fees, Expenses, and Incentive Award, the Court having been advised in the premises, and having duly considered the papers and arguments of all interested parties, and having held a Final Approval Hearing on May 11, 2023,

IT IS HEREBY ORDERED, DECREED, AND ADJUDGED AS FOLLOWS:

1. Unless defined herein, all capitalized terms in this order shall have the respective meanings ascribed to the same terms in the Class Action Settlement Agreement ("Settlement Agreement").

2. The Court finds that the percentage-of-the-recovery method is the most appropriate way to evaluate fees for this case. *See Brundidge v. Glendale Fed. Bank F.S.B.*, 168 Ill. 2d 235, 238 (1995); *see also McCormick, et al. v. Adtalem Glob. Educ. Inc., et al.*, 2022 IL App (1st) 201197-U, ¶ 26. The Court further finds that Class Counsel's 35% fee request falls within the range of typical fee awards in Illinois generally and in BIPA actions specifically. *E.g., LaBarre v. Ceridian HCM, Inc.*, No. 2019-CH-06489 (Cir. Ct. Cook Cnty. Nov. 30, 2022) (in BIPA case against timeclock vendor, granting 35% of \$3,493,0740 settlement fund in fees). The

35% fee request is further justified in light of the risk Class Counsel undertook in pursuing this litigation on a contingency basis, and the excellent relief Class Counsel ultimately obtained for the Settlement Class. *See Ryan v. City of Chicago*, 274 Ill. App. 3d 913, 924 (1st Dist. 1995) (affirming district court’s attorneys’ fee award due to the “extreme contingency risk” of pursuing the litigation, and the “hard cash benefit” obtained).

3. The Court awards to Class Counsel \$843,862.76 as a fair and reasonable attorneys’ fee, which shall include all attorneys’ fees and reimbursable expenses associated with the Action. This amount shall be paid from the Escrow Account pursuant to the terms in the Settlement Agreement.

4. The Court awards to the Class Representative an incentive award of \$5,000.00 for his time and effort serving the Settlement Class in this Action. This amount shall be paid from the Escrow Account pursuant to the terms in the Settlement Agreement.

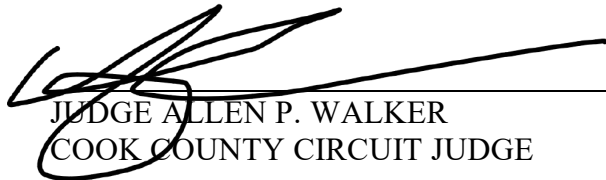
IT IS SO ORDERED.

Allen Price Walker
Associate Judge

ENTERED: _____

May 11, 2023

Circuit Court - 2071



JUDGE ALLEN P. WALKER
COOK COUNTY CIRCUIT JUDGE