

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Jose Orlando CANCINO
CASTELLAR, Ana Maria
HERNANDEZ AGUAS, Michael
GONZALEZ,

Plaintiffs-Petitioners,

vs.

Alejandro MAYORKAS, Secretary of
Homeland Security; *et al.*,

Defendants-Respondents.

Case No. 3:17-cv-00491-JO-AHG


**[PROPOSED] ORDER GRANTING
JOINT MOTION FOR FINAL
APPROVAL OF SETTLEMENT**

District Judge: Hon. Jinsook Ohta
Magistrate Judge: Hon. Allison H. Goddard

Presently before the Court is the Parties' Joint Motion for Final Approval of Settlement. On January 24, 2024, the Court preliminarily approved the proposed Settlement Agreement and approved the proposed Notice Plan as described in the proposed Agreement at § 10, and it ordered a 30-day notice period to commence on January 31, 2024. ECF No. 245. The notice period ended on February 29, 2024. To date, no objections have been filed with the Court, and Class Counsel reports that no objections were lodged with them.

1 The Court has carefully considered the Parties' Joint Motion, the proposed
 2 Settlement Agreement, all filings related to the Settlement, the record in this case, the
 3 factors listed in Fed. R. Civ. P. 23(e)(2), and the additional factors described by the Ninth
 4 Circuit in *Hanlon v. Chrysler Corp.*, 150 F. 3d 1011, 1026 (9th Cir. 1998). The Court held
 5 a fairness hearing on the motion on March 14, 2024, following notice to the class as
 6 described above. The Court find that the Agreement is fair, reasonable, and adequate.

7 **IT IS HEREBY ORDERED**

- 8 1. The Court grants final approval of the Agreement, finding the terms of the
 9 Agreement are fair, reasonable, and adequate as required by Fed. R. Civ. P.
 10 23(e).
- 11 2. The previously certified class, ECF Nos. 212, 214, remains the certified class
 12 for purposes of the Agreement and is explicitly defined in § 1.d of the
 13 Agreement.
- 14 3. The Court orders Defendants to pay attorneys' fees and costs in the amount
 15 of \$645,000. The Court finds that this amount is fair, reasonable, and
 16 adequate.
- 17 4. Defendants shall provide compliance reporting to Plaintiffs consistent with §
 18 7 of the Agreement.
- 19 5. The Parties shall execute and file a Joint Motion for Dismissal of the Action
 20 with prejudice, consistent with §§ 11.a. and 11.e. of the Agreement.
- 21 6. Notwithstanding the dismissal of this action, Magistrate Judge Alison H.
 22 Goddard shall retain jurisdiction to enforce the terms of this Agreement for a
 23 period of up to three (3) years after dismissal of the action. The Court may
 24 enforce the terms of Sections 2 through 5 this Agreement only on an
 25 individual basis, with respect to the application of such terms to an individual
 26 class member against whom proceedings under 8 U.S.C. §§ 1221-1231 have
 27 been initiated. *See* § 11.b. of the Agreement. Defendants may request early
 28 termination of jurisdiction and the obligations of this Agreement pursuant to
 the terms of § 11.c. of the Agreement.

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2 **IT IS SO ORDERED.**

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4 **DATED:** March 18, 2024

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Hon. Jinsook Ohta
United States District Judge