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19 SUPERIOR COURT OF THE STATE OF CALIFORNIA
20 FOR THE COUNTY OF LOS ANGELES - CENTRAL CIVIL WEST

21 IN RE: TV WRITERS CASES

22
23 THIS DOCUMENT RELATES TO:

24 *EDWARDS, et al. v. INTERNATIONAL*
25 *CREATIVE MANAGEMENT, INC.*, -
26 BC 268846; and

27 *MINTZ, et al. v. BRODER KURLAND*
28 *WEBB AGENCY, INC.*, - BC 268850

Case Nos. BC 268836 (and related cases)
[Assigned to Hon. Emilie H. Elias for all purposes]

ORDER FINALLY APPROVING
CONSENT DECREE, SETTLEMENT CLASS, AND CLASS COUNSEL'S FEES AND EXPENSES AND AMENDING ADMINISTRATIVE ORDER NO. 1

Date: January 6, 2009
Time: 1:45 p.m.
Dept: 308

FILED
Superior Court of California
County of Los Angeles

JAN 06 2009

John A. Clarke, Executive Officer/ Clerk
By Alfredo Morales, Deputy
ALFREDO MORALES

1 Having considered Plaintiffs' Motion for Order Finally Approving Consent Decree and
2 Settlement Class and Class Counsel's Motion for an Award of Attorneys' Fees and Expenses; all
3 other documents submitted in connection with the Motions and with the prior motion for
4 preliminary approval of the consent decree; the record of this case; and the memoranda and
5 arguments of counsel; and

6 Having been advised by Counsel for the Plaintiffs and the proposed Plaintiff Class
7 ("Class Counsel") and counsel for ICM and BKW that the proposed Consent Decree is intended
8 to effect a full and final settlement of the class claims, including all individual claims subsumed
9 in the above-captioned cases.

10 It is hereby ordered that the Motions are hereby **GRANTED**.

11 The Court makes the following findings and rulings:

12 **1. No Determination of Merits.** This Court hereby decrees that neither the Consent
13 Decree, nor this final approval order, nor the fact of a settlement, are an admission or concession
14 by the Defendants of any liability or wrongdoing whatsoever.

15 **2. Proposed Settlement.** The Court finds that the parties' proposed Consent Decree
16 is fair, adequate and reasonable, and hereby approves the Decree.

17 **3. Settlement Class Certification.** The Court finds a class may be certified to
18 pursue the claims asserted in the operative complaints. The Court hereby approves the following
19 Settlement Class:

20 All current and former members of the WGA who were employed by any
21 defendant production studio or network in the Television Writers Cases in a
22 television writing position covered by the Minimum Basic Agreement ("MBA")
23 and who at any time since October 22, 1996 were 40 and older, except for persons
24 who at any time during the liability period were either (1) employed by any
25 defendant in the Television Writers Cases as an executive, manager, or talent
26 agent, with authority or significant input into decisions to hire, retain, purchase
27 material from, place, and/or package, writers for television writing opportunities
28

1 at any production studio and/or network defendant in the Television Writers
2 Cases; or (2) executives and/or principals of entities signatory to the MBA.

3 This Court's certification of the Settlement Class is for purposes of the Consent Decree. If the
4 Consent Decree does not become effective or is voided, this certification will be null and void.

5 **4. Appointment of Class Representatives and Class Counsel.** The Court finds
6 that plaintiffs and their counsel are adequate representatives of the Settlement Class.
7 Accordingly, the Court appoints the ICM and BKW Class Representatives, Lead Counsel, and
8 Class Counsel as those terms are defined in Part III of the proposed Consent Decree.

9 **5. Size of Published Notice.** The Court finds that counsel were authorized to
10 decide, and reasonably decided, that the initial published notice in the *New York Times* would
11 cover 1/7 page and that the reminder notices in that newspaper would cover 1/14 page, and that
12 the initial published notice in the Los Angeles Times would cover 1/7 page. The Court approves
13 of these modifications to the sizes set forth in the Consent Decree and Exhibit A-2 to the Order
14 Preliminarily Approving Consent Decree and Directing Notice to Class Members.

15 **6. Award of Past and Future Attorneys' Fees and Expenses.** The Court finds that
16 class counsel's request for attorneys' fees of \$1.5 million and expenses of ~~\$2,717,571.95~~ ^{to be determined} *che*
17 reasonable and, therefore, grants class counsel's motion. Consistent with the Court's ruling,
18 Paragraphs 4(a) and (b) of Administrative Order No. 1 governing the TV Writers Age
19 Discrimination Settlement Fund are hereby amended as follows: the Class Claims Portion shall
20 initially consist of ^{at least} \$2,717,571.95, and the ~~Legal & Administrative Expense Portion shall initially~~
21 ~~consist of \$1,782,428.05.~~ *che (cost award interim cost of 101,600)*

22 **7. Expenses of Notifying Class Members of the Settlement and Administering**
23 **It.** The Trustees of the Settlement Fund shall reimburse Class Counsel out of the Legal &
24 Administrative Expense Portion of the Fund for expenses incurred in notifying class members of
25 the settlement and administering it, as those expenses are incurred, even if the settlement is
26 voided after the expenses are incurred, unless no money remains in that portion of the Fund.
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