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16 Attorneys for Plaintiff

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19 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 Ilsa Saravia, as next friend for A.H., a
minor, and on behalf of herself individually
22 and others similarly situated,

23 Plaintiff,

24 v.

25 Merrick Garland, Attorney General, et al.,

26 Defendants.
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Case No. 3:17-cv-03615-VC

Honorable Vince Chhabria

~~PROPOSED~~ ORDER APPROVING
SETTLEMENT AGREEMENT FOR
FEES AND COSTS UNDER THE
EQUAL ACCESS TO JUSTICE ACT

1 Currently pending is Plaintiff's Motion for Approval of the Fees and Costs Settlement
2 Regarding EAJA Attorneys' Fees and Costs ("Motion") pursuant to Rule 23(h) of the Federal Rules
3 of Civil Procedure. The Court has considered Plaintiff's Motion, supporting papers, and the
4 Government's response.

5 The Court makes the following findings:

6 1. On May 27, 2021, the Parties executed the Fees and Costs Settlement Agreement in
7 which Defendants agreed to pay Plaintiff's one million, nine hundred and fifty thousand dollars
8 (\$1,950,000.00) in full and complete satisfaction of any claims by Plaintiff for costs, attorney's fees,
9 and litigation expenses, including any interest in connection with the case titled *Saravia v. Sessions,*
10 *et al.*, No. 3:17-cv-03615-VC, in the United States District Court for the Northern District of
11 California. This proposed sum breaks down as follows: costs in the amount of \$31,165.41, which
12 are payable pursuant to 28 U.S.C. § 2412(a)(1), and fees and expenses in the amount of
13 \$1,918,834.60, which are payable pursuant to the EAJA, 28 U.S.C. § 2412(d).

14 2. The Parties, through their counsel, and with the assistance of Magistrate Judge Laurel
15 Beeler engaged in arms-length settlement negotiations, and reached a Fees and Costs Settlement
16 Agreement which is fair, reasonable, adequate, and equitable, and is in both Defendants' and
17 Plaintiff's best interests.

18 3. The Parties are not required to give direct notice of the proposed Fees and Costs
19 Settlement Agreement because the class is certified under Rule 23(b)(2) and class members' rights
20 will not be prejudiced by this Fees and Costs Agreement. The notice provided to class members
21 through the public filing and the postings of the motion for approval and the Fees and Cost
22 Settlement Agreement on ACLU's website is sufficient.

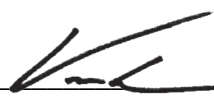
23 4. The Court, having reviewed Plaintiff's Motion, ~~having heard the argument in support~~
24 ~~of the Fees and Costs Settlement Agreement~~, having reviewed all of the evidence, objections, and
25 other submissions presented with respect to the Agreement and related matters, and the record of
26 all proceedings in this case, and having made the necessary foregoing findings, hereby **GRANTS**
27 Plaintiff's Motion, approves the Fees and Costs Settlement Agreement, and orders the Parties to
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1 comply with the terms and conditions set forth in the Agreement.

2 5. This Order fully resolves the Motion at ECF No. 260.

3 **IT IS SO ORDERED.**

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5 Date: June 7, 2021

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8 The Honorable Vince Chhabria
9 United States District Judge

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