

from Hawaii, *id.* at 2; and July 1, 2016 for all other Class members, *id.* at 2; and extended the deadline for all Class members to opt out of or object to the settlement to July 1, 2016. *Id.* at 1. CAA updated the settlement website to reflect the extended deadlines before June 20, 2016. ECF No. 107-1 ¶ 11. On June 20, 2016, CAA mailed supplemental notice postcards to a total of 13,141 Class members in Kansas, Oklahoma, New Hampshire, Pennsylvania, and Hawaii, and emailed a supplemental notice to all 111,893 email addresses on file. *Id.* ¶ 12.

D. N14 Class member claims, requests for exclusion, and objections

According to Plaintiffs, as of July 6, 2006, a total of 5,310 N14 Class members have submitted claims under the settlement agreement, and 2,064 claims have been approved. The remaining claims are under review or are awaiting supplemental documentation from Class members. *Id.* ¶¶ 17-18. One [*14] hundred and twenty three Class members have opted out of the settlement, and 23 Class members have submitted objections to the settlement on various grounds. *Id.* at ¶¶ 13-16; see ECF Nos. 75, 77-85, 96-98, 100-01, 103-04, 106. The Court will address each of these objections individually in this opinion.

E. Motions for final approval of settlement and attorneys' fees

On May 19, 2016, Plaintiffs moved for an award of \$2,320,000 in attorneys' fees and expenses for Class Counsel. ECF No. 86. Defendants filed a brief in opposition on June 16, 2016, arguing that the Court should award Class Counsel only \$1,820,000 in attorneys' fees and expenses. ECF No. 90.

On June 20, 2016, Plaintiffs filed an unopposed motion seeking an order granting final certification of the N14 Class for settlement purposes, final approval of the settlement, and relief for N14 Class members under the terms of the settlement agreement. ECF No. 92. Plaintiffs filed a supplemental motion on July 7, 2016 containing updated information about Class member responses and discussing objections filed after June 20, 2016. ECF No. 107.

The Court held a fairness hearing regarding both issues as required by Federal Rule of Civil Procedure 23(e) on July 14, 2016.

DISCUSSION [*15]

Before granting approval of the settlement agreement, the Court must consider: (1) whether the N14 Class can be certified under Federal Rule of Civil Procedure 23; (2) whether notice to the Class was adequate; (3) whether the settlement is fair, reasonable, and adequate; and (4) whether Plaintiffs' proposed provision for attorneys' fees and costs is reasonable.

I. Final Class certification is appropriate

The Court earlier granted conditional N14 Class certification, and now "final settlement depends on the finding that the class met all the requisites of Rule 23." *In re Gen. Motors Corp. Pick-Up Truck Fuel Tank Products Liab. Litig. ("GM Truck Prods.")*, 55 F.3d 768, 797 (3d Cir. 1995). Under Rule 23(a), the Court must find that (1) the Class is so numerous

For internal use only