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FIRST CIRCUIT COURT
STATE OF HAWAII
FILED

2019 AUG 21 AM 8:57

N. MIYATA
CLERK

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Attorneys for Plaintiff LINDA ROBINSON,
individually and on behalf of all others similarly situated.

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

LINDA ROBINSON, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

FIRST HAWAIIAN BANK and DOE
Defendants 1-50,

Defendant

Civil No.17-1-0167-01 GWBC
(Class Action)

FIRST AMENDED
GWBC

**ORDER GRANTING PLAINTIFF'S
MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT AND
ENTRY OF FINAL JUDGMENT**

Hearing Date: August 6, 2019 at 3:00 p.m..
Judge: Honorable Gary W.B. Chang

FIRST AMENDED

**ORDER GRANTING PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND ENTRY OF FINAL JUDGMENT**

GWBC

Plaintiff LINDA ROBINSON, individually and on behalf of all others similarly situated,
^{First Amended}
filed *Plaintiff's Motion for Final Approval of Class Action Settlement and Entry of Final*
[^]
Judgment on June 24, 2019, and *Plaintiff's Motion* came on for hearing on August 6, 2019,
before Honorable Gary W.B. Chang, with Brandee J.K. Faria, Esq. appearing on behalf of the

GWBC

PLEASE NOTE CHANGES

2019 AUG 21 AM 8:57

Linda Robinson, individually and on behalf of all others similarly situated, v. First Hawaiian Bank;
Civil No. 17-1-0167-01: Order Granting Plaintiff's Motion for Final Approval of Class Action Settlement
and Entry of Final Judgment

Plaintiff Class, Jessica Kaufman, Esq. and Joseph A. Stewart, Esq. appearing on behalf of the Defendant FIRST HAWAIIAN BANK.

The court having carefully read and considered all of the relevant evidence and memoranda presented, having heard and considered the oral arguments of counsel, and being otherwise fully advised in the premises, and good cause appearing therefore, hereby orders, adjudges and decrees, pursuant to Hawai'i Rules of Civil Procedure, Rule 23, that:

1. This Court has jurisdiction over the claims at issue and parties involved in this action.

2. The Settlement Agreement and Release ("Settlement Agreement") between Plaintiff LINDA ROBINSON (the "Class Representative" or "Plaintiff"), individually and on behalf of a class of similarly situated persons ("Class"), and Defendant FIRST HAWAIIAN BANK, is incorporated fully herein by reference and is attached to the *Motion For Final Approval Of Class Action Settlement And Entry Of Final Judgment* and to the *Stipulation Regarding Entry of Order: (1) Preliminarily Approving Class Action Settlement and Release Agreement, (2) Approving Form of Notice, (3) Establishing Opt-Out and Objecting Deadline, (4) Directing Dissemination of Notice, and (5) Scheduling "Final Fairness Hearing" of Settlement Between Plaintiff and Defendant* filed March 13, 2019.

*Plaintiff's First Amended
Motion*

3. The definitions used in the Settlement Agreement are adopted for use herein.

4. This Court has been advised by counsel for the Parties that the Settlement Agreement has been reached between and among the Class Representative, individually and on behalf of the Class, Class Counsel for and on behalf of the Class, and Defendant, independently.

PLEASE NOTE CHANGES

5. Having received full notice of the settlement, only 1 Class Member has opted out of the instant settlement by the July 5th deadline, and two additional Class Members have opted out ^{subsequent} ~~pursuant~~ to the July 5 deadline for a total of three Class Member opt outs. No Class Members have filed a written objection by the Court imposed deadline. Furthermore, no Class Members appeared at the Final Fairness Hearing to object to the settlement. LWB

6. The Court has reviewed the Settlement Agreement executed by the Parties and finds that the Settlement Agreement is hereby finally approved as fair, adequate, and reasonable, certifying the Settlement Class for settlement purposes, and further approves the Release contained therein and as set forth in the Class Notice.

7. Following Plaintiff's submittal of the Stipulation, on March 13, 2019 this Court entered and *Order (1) Preliminarily Approving Class Action Settlement and Release Agreement, (2) Approving Form of Notice, (3) Establishing Opt-Out and Objection Deadline, (4) Directing Dissemination of Notice, and (5) Scheduling Final "Fairness Hearing."* The findings contained therein are incorporated herein by reference. This Court determines that the Notice Program satisfies all of the due process requirements for a class action settlement.

8. As of the effective date of the Settlement Agreement, the released claims of each Class Member who has not opted out, pursuant to the terms of the Settlement Agreement, and as set forth in the Class Notice, are and shall be deemed to be fully, finally, and conclusively resolved as against Defendant. This Court's approval of the instant Settlement bars and enjoins all Releasing Parties from pursuing any Released Claims and releases FHB and the Released Parties from the Released Claims.

9. Plaintiff's request for attorneys' fees in the amount of \$1,361,250.00 and litigation costs in the amount of \$129,511.84 is reasonable, given the factors set forth in *Plaintiff's*

PLEASE NOTE CHANGES

Memorandum in Support of Motion and is approved. This is in addition to the costs for administration of the settlement, which is being administered by Epiq and is estimated to cost approximately \$120,000.

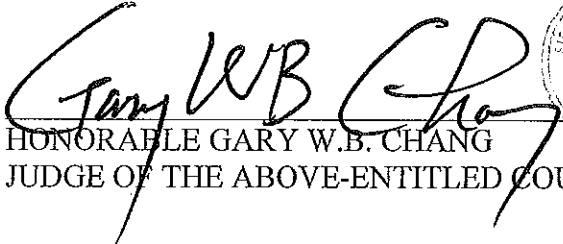
10. The Court hereby approves the incentive payment for the Class Representative in this case, LINDA ROBINSON, in the amount of \$10,000 as fair and reasonable, given the factors set forth in *Plaintiff's Memorandum in Support of Motion*.


11. Final Judgment will be entered concurrently herewith as set forth in the Settlement Agreement, and the instant Action will be dismissed with prejudice.

12. The Circuit Court for First Circuit, State of Hawai'i shall retain continuing and exclusive jurisdiction over the Parties to this Agreement to enforce the Settlement Agreement and for all other related matters thereto.

IT IS SO ORDERED AND ADJUDGED.

DATED: Honolulu, Hawai'i, AUG - 8 2019.


HONORABLE GARY W.B. CHANG
JUDGE OF THE ABOVE-ENTITLED COURT



APPROVED AS TO FORM:



CRAIG K. SHIKUMA, ESQ.
JESSE W. SCHIEL, ESQ.
JESSICA KAUFMAN, ESQ.
JAMES R. MCGUIRE, ESQ.

Attorneys for Defendants
FIRST HAWAIIAN BANK

***Linda Robinson, individually and on behalf of all others similarly situated, v. First Hawaiian Bank;
Civil No. 17-1-0167-01: Order Granting Plaintiff's Motion for Final Approval of Class Action Settlement
and Entry of Final Judgment***