

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE**

Civil Complex Center  
751 W. Santa Ana Blvd  
Santa Ana, CA 92701

**SHORT TITLE:** Kemp vs. Accurate Background, Inc.

**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE**

**CASE NUMBER:**  
**30-2021-01188280-CU-OE-CXC**

I certify that I am not a party to this cause. I certify that that the following document(s), Minute Order dated 01/13/25, was transmitted electronically by an Orange County Superior Court email server on January 13, 2025, at 9:12:04 AM PST. The business mailing address is Orange County Superior Court, 700 Civic Center Dr. W, Santa Ana, California 92701. Pursuant to Code of Civil Procedure section 1013b, I electronically served the document(s) on the persons identified at the email addresses listed below:

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**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE**

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF ORANGE  
CIVIL COMPLEX CENTER**

**MINUTE ORDER**

DATE: 01/13/2025

TIME: 09:05:00 AM

DEPT: CX101

JUDICIAL OFFICER PRESIDING: William Claster

CLERK: G. Hernandez

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: . None

CASE NO: **30-2021-01188280-CU-OE-CXC** CASE INIT.DATE: 03/10/2021

CASE TITLE: **Kemp vs. Accurate Background, Inc.**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

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EVENT ID/DOCUMENT ID: 74467266

**EVENT TYPE:** Chambers Work

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**APPEARANCES**

There are no appearances by any party.

The Court, having taken the above-entitled matter under submission on 01/10/2025 and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

**MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiff's motion for final approval of the parties' class action settlement is GRANTED. The Court approves the following distributions:

1. Attorney's fees in the amount of \$841,667 or 1/3 of the GSA. The Court finds this amount to be a reasonable result in light of the quality of the result obtained, the work performed by class counsel, a review of the billing records provided, and the estimated lodestar. In particular, the Court notes that counsel secured a published appellate decision that favorably resolved the issues in this case. In approving this amount and examining the billing records provided, the Court is not approving any particular hourly billing rates proposed by class counsel.

2. Litigation costs in the amount of \$35,583.48. This amount corresponds to counsel's estimate at the second hearing on preliminary approval, per ROA 328. Counsel's final approval papers claim over \$46,000 in expenses, but there is no explanation of how counsel incurred over \$10,000 in expenses between preliminary approval and today. The Court accordingly awards the amount listed in the preliminary approval papers.

3. Administration costs in the amount of \$18,004, per the administrator's declaration.

4. An enhancement of \$15,000 to Plaintiff. In making this award, the Court has considered the factors set forth in *Golba v. Dick's Sporting Goods, Inc.* (2015) 238 Cal.App.4th 1251 and *Clark v. Am. Residential Servs. LLC* (2009) 175 Cal.App.4th 785. In particular, the Court notes both the positive appellate outcome discussed above and the fact that Plaintiff could only vindicate his (and the class's) right to compliant background checks by publicly revealing a criminal conviction that otherwise would have been more private.

Pursuant to CCP § 384(b), Plaintiff shall submit to the Court a final report on or before July 31, 2025 setting forth the actual amounts paid to class members and other amounts disbursed pursuant to the settlement. Upon receiving the report, the Court will determine whether further reports and/or a hearing will be necessary.

Please submit a revised proposed order that conforms to the foregoing for the Court's signature.

Court orders clerk to give notice.