

ENTERED

October 11, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JUAN RAMON TORRES, *et al*,

Plaintiffs,

VS.

SGE MANAGEMENT LLC, *et al*,

Defendants.

§
§
§
§
§
§
§
§

CIVIL ACTION NO. 4:09-CV-2056

ORDER

Pursuant to Federal Rule of Civil Procedure 23(g)(1), on January 13, 2014, this Court appointed Andrew Kochanowski of Sommers, Schwartz, P.C., as one of the three Class Counsel in this litigation. [Docket No. 169]. As part of a settlement, Stream Energy, LLP *et al*, (“Stream” or “Defendants”) have agreed not to oppose the plaintiff class attorneys’ fees and costs of up to \$10,275,000. [Docket No. 189-1]. Pursuant to an announced settlement, the Court ordered applications for fees and costs to be filed by September 12, 2018.

Class Counsel, Andrew Kochanowski and Sommers Schwartz, P.C., (“S2”), Class Counsel Matthew Prebeg and Prebeg, Faucett & Abbott, LLC (“PFA”), Associated Counsel Jeffrey W. Burnett, PLLC (“Burnett”), and Goldstein & Russell, P.C., (“GR”) each timely filed fee petitions. The S2 petition seeks \$2,532,151.80 in fees and \$184,347.20 in expenses. [Dkt. 291]. The Burnett petition seeks \$1,661,750 in fees and \$974.72 in expenses. [Dkt. 292]. The GR petition seeks \$1,698,000 in fees and \$5,182.65 in expenses. [Dkt. 295]. The PFA petition seeks \$3,164,170 in fees, and \$187,557.38 in expenses. [Dkt. 297]. The fees sought by these firms total \$9,056,071.80. The expenses sought by the moving firms total \$378,062.01.

On September 12, Class Counsel Scott Clearman (“Clearman”) filed a separate Motion To Award Clearman His Expenses And A Fee [Dkt. #298]. On September 22nd he filed a proposed order. The plaintiffs, Christopher Robison (as executor of the Estate of Eugene Robison) and Luke Thomas, individually and on behalf of the Class, have objected and move to strike the Clearman motion and supporting materials.

The Court grants that objection and directs Clearman to file a new motion within 10 days setting forth time expended and his usual and customary rates as well as incurred expenses within 10 days.

It is so Ordered.

SIGNED on this 11th day of October, 2018.

A handwritten signature in black ink, appearing to read "Kenneth M. Hoyt", written over a horizontal line.

Kenneth M. Hoyt
United States District Judge