

1
2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 John V. Ferris and Joann M. Ferris,
5 Individually and on Behalf of All Others
6 Similarly Situated,

7 Plaintiffs

8 v.

9 Wynn Resorts Limited, et al.,

10 Defendants

Case No. 2:18-cv-00479-CDS-BNW

**Order Granting Plaintiffs'
Motion for Attorney's Fees**

[ECF No. 438]

11 This is a class action lawsuit (the "Action") commenced by Class Representatives John
12 V. Ferris; JoAnn M. Ferris; and Jeffrey Larsen ("Plaintiffs"), individually and on behalf of all
13 members of the certified class, against defendants Wynn Resorts, Ltd.; Matthew O. Maddox;
14 Stephen A. Wynn; Stephen Cootey; and Kimmarie Sinatra (collectively, "Defendants"). Compl.,
15 ECF No. 1. On December 23, 2024, Plaintiffs filed a motion for attorney's fees, litigation
16 expenses, and compensatory awards (Mot., ECF No. 438), on the same date they filed their
17 motion for final approval of class action settlement (ECF No. 437). The deadline to file any
18 response or opposition to the attorney's fees motion was January 6, 2025. ECF No. 438; *see also*
19 LR 7-2(b) (a response to a motion other than one for summary judgment is fourteen days). To
20 date, no response or opposition has been filed.

21 The Court conducted a hearing on January 27, 2025 (the "Settlement Hearing") to
22 consider, among other things, (a) whether the terms and conditions of the Settlement are fair,
23 reasonable and adequate to the Class, and should therefore be approved; and (b) whether a
24 judgment should be entered dismissing the Action with prejudice as against the Defendants.
25 Mins. of proceeding, ECF No. 440. During the Settlement Hearing, the court also addressed
26 Plaintiffs' motion for attorney's fees.

1 Having considered the motion and weighing the reasons set forth therein, as well as for
2 the reasons set forth on the record, the court finds Plaintiffs' counsel are entitled to
3 compensation, and that the requested attorney's fees are reasonable considering: (1) the results
4 achieved, (2) the risk of litigation, (3) the requisite skill and quality of the attorneys' work, and
5 (4) the contingent nature of the fee, and (5) financial burden the attorneys faced. The court also
6 finds that the requested award comports with awards made in similar cases, and that it meets
7 the lodestar cross-check. Finally, there was no opposition to the motion, which weighs in favor
8 of granting the motion. Accordingly, the motion for attorney's fees is granted.

9 **Conclusion**

10 IT IS HEREBY ORDERED that Plaintiffs' counsel's motion for attorneys' fees [ECF No.
11 438] is granted in its entirety. Plaintiffs' counsel is awarded: (1) attorney's fees in the amount
12 of 33 ⅓ % of the Settlement Fund, together with interest accrued thereon while in the Escrow
13 Account, and \$1,104,277.42 in litigation expenses reasonably and necessarily incurred by
14 Plaintiffs' counsel in prosecuting and resolving this Action; and (2) Mr. and Mrs. Ferris are
15 awarded a compensatory award in the amount of \$30,000, and (3) Mr. Larsen a compensatory
16 award in the amount of \$20,000.

17 Dated: January 31, 2025

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Cristina D. Silva
United States District Judge