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23 **UNITED STATES DISTRICT COURT**
24 **CENTRAL DISTRICT OF CALIFORNIA**
25 **WESTERN DIVISION**

IN RE KOREAN AIR LINES CO., LTD.
ANTITRUST LITIGATION

MDL No. 07-01891

Master File No. CV 07-05107 SJO
(AGRx)

This Document Relates To:
ALL ACTIONS

**PLAINTIFFS' NOTICE OF
MOTION AND MOTION FOR AN
AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF
EXPENSES**

Date: December 2, 2013
Time: 10:00 a.m.
Place: Courtroom 1
Judge: Hon. S. James Otero

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE THAT,** on Monday, December 2, 2013, at
3 10:00 a.m., or as soon thereafter as the matter may be heard, in Courtroom 1 of the
4 Honorable S. James Otero, United States District Court for the Central District of
5 California, located at 312 North Spring Street, Los Angeles, CA 90012, Plaintiffs
6 will move this Court for an order: (1) awarding attorneys' fees in the amount of
7 25% of the Settlement Fund, as set forth in the accompanying Memorandum in
8 Support and (2) reimbursing expenses to plaintiffs' counsel not to exceed the
9 amount of \$600,000. This Motion is brought pursuant to the Federal Rules of Civil
10 Procedure, Rule 23(h) and 54(d)(2).
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14 This Motion is brought on the grounds that (a) such fees are fair and
15 reasonable in light of counsels' efforts in obtaining a total Settlement Fund on
16 behalf of the Class in the amount of \$86 million, consisting of \$50 million in cash
17 and \$36 million in coupons for travel on airlines of defendants Asiana Airlines,
18 Inc. and Korean Air Lines Co., Ltd.; (b) the requested fees comport with Ninth
19 Circuit law in common fund cases and (c) the expenses for which reimbursement is
20 sought were reasonably and necessarily incurred in connection with the
21 prosecution of the action.
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24 This Motion is based upon the accompanying Memorandum of Points and
25 Authorities; the Joint Declaration of Susan G. Kupfer, Marc M. Seltzer and Jeff S.

1 Westerman in support of the Motion, and exhibits thereto.

2 DATED: October 4, 2013

Respectfully Submitted,

3 By: s/ Susan G. Kupfer

4 Susan G. Kupfer

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**PROOF OF SERVICE VIA ELECTRONIC POSTING PURSUANT TO
CENTRAL DISTRICT OF CALIFORNIA LOCAL RULES
AND ECF GENERAL ORDER NO. 10-07**

I, the undersigned, say:

I am a citizen of the United States and am employed in the office of a member of the Bar of this Court. I am over the age of 18 and not a party to the within action. My business address is One Embarcadero Center, Suite 760, San Francisco, California 94111.

On October 4, 2013, I caused to be served the following document by posting such document electronically to the ECF website of the United States District Court for the Central District of California:

**PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR AN
AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF
EXPENSES**

to all ECF registered parties as listed on the attached Court's Service List.

And on any non-ECF registered party:

By Mail: By placing true and correct copies thereof in individual sealed envelopes, with postage thereon fully prepaid, which I deposited with my employer for collection and mailing by the United States Postal Service. I am readily familiar with my employer's practice for the collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, this correspondence would be deposited by my employer with the United States Postal Service that same day.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 4, 2013, at San Francisco, California.

s/ Susan G. Kupfer
Susan G. Kupfer

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