## **Not for Publication**

## UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

MATTIE HALLEY, SHEM ONDITI, LETICIA MALAVÉ, and SERGIO de la CRUZ,

:

On Behalf of Themselves and All Others Similarly Situated,

Civil Action No. 10-3345 (ES) (JAD)

Plaintiffs,

ORDER

v.

HONEYWELL INTERNATIONAL, INC. and PPG INDUSTRIES, INC.,

:

Defendants.

renuants.

## SALAS, DISTRICT JUDGE

This matter having come before the Court upon Special Master Eric D. Green's March 8, 2018 Report and Recommendation (the "R & R")—served *in camera*—concerning Class Counsel's motion seeking an award of reasonable costs under Federal Rule of Civil Procedure 23(h) (*see* D.E. No. 460); and the parties having been provided an opportunity to respond and/or object to the R & R under Federal Rule of Civil Procedure 53(f); and no objection or motion to modify the R &R having been filed; and Class Counsel having represented that they do not intend to file any objection (*see* D.E. No. 475); and the Court having reviewed the R & R; and for the reasons in the accompanying Memorandum,

IT IS on this 29th day of May 2018,

**ORDERED** that the Report and Recommendation of Special Master Eric D. Green is hereby ADOPTED as the Opinion of this Court; and it is further

Case 2:10-cv-03345-ES-JAD Document 477 Filed 05/29/18 Page 2 of 2 PageID: 11115

**ORDERED** that Class Counsel's motion seeking an award of reasonable costs under

Federal Rule of Civil Procedure 23(h) (see D.E. No. 460) is GRANTED; and it is further

**ORDERED** that distribution of the Settlement Fund shall be made as provided in the Order

and Final Judgment Approving Class Action Settlement (see D.E. No. 442); and it is further

**ORDERED** that if the pending class action against Defendant PPG Industries, Inc. is

resolved with a recovery for any such class—from which common expenses that benefited both

that class and the class at issue in the instant motion (i.e., the "Honeywell Class") may be

allocated—then a pro rata allocation shall be made in the form of a reimbursement to the

Honeywell Class and subsequently distributed to the Honeywell Class; and it is further

**ORDERED** that the accompanying Memorandum and R & R shall be temporarily filed

UNDER SEAL; and it is further

**ORDERED** that the Undersigned's Chambers will provide Class Counsel the temporarily

sealed version of the accompanying Memorandum and R & R; and it is further

ORDERED that the accompanying Memorandum shall be unsealed 14 days from

publication of this Order on the Court's ECF System unless an appropriate motion to seal the

Memorandum and R & R, accompanied by proposed redactions, is filed before that time; and it is

further

**ORDERED** that the Clerk of the Court shall terminate Docket Entry No. 460.

s/Esther Salas

Esther Salas, U.S.D.J.

- 2 -