

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re California Gasoline Spot Market Antitrust Litigation

No. 3:20-cv-03131-JSC (N.D. Cal. Apr. 30, 2025) · No. 3:20-cv-03131-JSC · Decided April 30, 2025

SUMMARY

The United States District Court for the Northern District of California granted the plaintiffs’ renewed motion for service awards in a class action settlement. The court awarded Fricke-Parks Press, Inc., Bogard Construction, Inc., and Ritual Coffee Roasters, Inc. \$5,000 each based on their documented time, effort, and risks as class representatives.

CASE DETAILS

COURT	United States District Court for the Northern District of California
JURISDICTION	United States District Court for the Northern District of California
DECIDED	April 30, 2025
DOCKET	3:20-cv-03131-JSC
DISPOSITION	other
PROCEDURAL POSTURE	Following final approval of a class action settlement and denial of the representative plaintiffs' initial request for service awards, the plaintiffs filed an unopposed renewed motion for service awards.
STANDARD OF REVIEW	The decision to approve an incentive award is committed to the court's discretion; the court evaluates whether the requested award is reasonable based on the representative's service and related factors.
PRECEDENTIAL VALUE	Unknown

TOPICS

- class actions
- attorney fees
- commercial litigation
- remedies

PRACTICE AREAS

- class actions
- commercial litigation
- attorney fees
- remedies

QUESTIONS PRESENTED

1. Whether the settlement class representatives had submitted sufficient evidence of the quantity and quality of their representative service to justify incentive awards.

2. Whether \$5,000 incentive awards for each of the three settlement class representatives were reasonable and consistent with adequate class representation.

HOLDINGS

1. A class representative must justify an incentive award with evidence demonstrating the quality and extent of the representative service, and the court must evaluate each award individually.
2. The requested \$5,000 incentive award for each of the three settlement class representatives was reasonable and did not undermine the adequacy of the class representatives.

KEY QUOTATIONS

“Incentive awards “are intended to compensate class representatives for work done on behalf of the class, to make up for financial or reputation risk undertaken in bringing the action, and, sometimes to recognize their willingness to act as a private attorney general.”” (at 2)

“A class representative must justify an incentive award through “evidence demonstrating the quality of plaintiff’s representative service,” such as “substantial efforts taken as class representative to justify the discrepancy between [his] award and those of the unnamed plaintiffs.”” (at 2)

FACTUAL BACKGROUND

The three settlement class representatives—Fricke-Parks Press, Inc., Bogard Construction, Inc., and Ritual Coffee Roasters, Inc.—sought \$5,000 incentive awards each. They asserted that they assumed reputational and financial risks by publicly associating their businesses with litigation against major participants in the California gasoline market and spent substantial time responding to discovery, sitting for depositions, and coordinating with counsel over nearly five years. Declarations established that the representatives spent between approximately 20 and 59 hours participating in the litigation.

PROCEDURAL HISTORY

On March 14, 2025, the court granted final approval of the class action settlement and granted in part and denied in part the plaintiffs' motion for attorneys' fees, costs, and service awards. The court denied service awards because the plaintiffs had not submitted evidence establishing the quantity or quality of the settlement class representatives' service. After the court entered final judgment on March 24, 2025, the plaintiffs submitted declarations supporting their renewed motion. The court granted the renewed motion and awarded each of the three settlement class representatives \$5,000.

DISPOSITION

other

CASES CITED

- Staton v. Boeing Co., 327 F.3d 938, 977 (9th Cir. 2003)
- Rodriguez v. W. Publ’g Corp., 563 F.3d 948, 958-59 (9th Cir. 2009)

- *In re Mego Fin. Corp. Sec. Litig.*, 213 F.3d 454, 463 (9th Cir. 2000)
- *Covillo v. Specialtys Café*, No. C-11-00594-DMR, 2014 WL 954516, at *8 (N.D. Cal. Mar. 6, 2014)
- *Van Vranken v. Atl. Richfield Co.*, 901 F. Supp. 294, 299 (N.D. Cal. 1995)
- *Alberto v. GMRI, Inc.*, 252 F.R.D. 652, 669 (E.D. Cal. 2008)
- *Radcliffe v. Experian Info. Sols. Inc.*, 715 F.3d 1157, 1163 (9th Cir. 2013)

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