UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Coppel v. SeaWorld Parks & Entertainment, Inc.

Coppel · No. 21-cv-1430-RSH-DDL · Decided September 10, 2025

SUMMARY

The United States District Court for the Southern District of California grants final approval of a $1.25 million class action settlement in an ERISA lawsuit involving the administration and investments of SeaWorld’s 401(k) plans. The order also awards class counsel $375,000 in attorneys’ fees, approves $273,540 in litigation costs, and addresses incentive awards for the named plaintiffs.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Robert S. Huie
JURISDICTION	United States District Court for the Southern District of California
DECIDED	September 10, 2025
DOCKET	21-cv-1430-RSH-DDL
DISPOSITION	approved
PROCEDURAL POSTURE	Plaintiffs moved for final approval of an unopposed class action settlement, attorneys' fees, costs, and incentive awards in an ERISA class action.
STANDARD OF REVIEW	The Court independently reviewed the proposed settlement and fee request for fairness, reasonableness, and adequacy, and reviewed the fee award for reasonableness under the percentage-of-the-fund method with a lodestar cross-check.
PRECEDENTIAL VALUE	Unknown; district court order approving a class action settlement
PARTIES	Fernando Coppel, Pablo Martinez, Tyler Mitchell, Judith Uriostegui, Elizabeth Usselman, Class members v. SeaWorld Parks & Entertainment, Inc., SWBG Orlando Corporate Operations Group, LLC, Boards of Directors of SeaWorld and OCOG, Plan Investment Committee, Marc G. Swanson, Elizabeth Gulacsy

TOPICS

class actions attorney fees costs civil procedure remedies

PRACTICE AREAS

civil procedure employment law ERISA class actions remedies

QUESTIONS PRESENTED

1. Whether the proposed class action settlement satisfied Federal Rule of Civil Procedure 23(e), due process, and the Class Action Fairness Act notice requirements.
2. Whether the Rule 23(b)(1) settlement class and subclasses should receive final approval and be bound by the settlement releases.
3. What amount of attorneys' fees and costs was reasonable under Federal Rule of Civil Procedure 23(h).
4. Whether the requested incentive awards and settlement-administration, recordkeeper, and independent-fiduciary expenses were reasonable.

HOLDINGS

1. The notice provided to the class was adequate under Federal Rule of Civil Procedure 23(e) and due process, and the defendants complied with the Class Action Fairness Act's notice requirements.
2. The settlement was fair, adequate, reasonable, and in the best interests of the class, and final approval was warranted.
3. An award of $375,000 in attorneys' fees, representing thirty percent of the $1,250,000 gross settlement fund, was reasonable.
4. The Court approved $273,540 in litigation costs, reduced the incentive awards to $5,000 for each named plaintiff, and approved the requested settlement-administration, recordkeeper, and independent-fiduciary expenses.

KEY QUOTATIONS

> *"The Court finds that the requirements of Rule 23(b)(1) of the Federal Rules of Civil Procedure and other laws and rules applicable to preliminary settlement approval of class actions have been satisfied, and the Court approves the Settlement Agreement, as modified herein, as being fair, just, reasonable, adequate, is in the best interests of the class and its members, and fully and finally resolves all such claims."* (Conclusion ¶ 3)

> *"The Court enters judgment dismissing with prejudice all claims asserted by Plaintiffs and the class members in this action."* (Conclusion ¶ 13)

FACTUAL BACKGROUND

The action concerns fiduciary-duty claims under ERISA involving the SeaWorld Parks and Entertainment 401(k) Plan and the SWBG, LLC 401(k) Plan. Plaintiffs alleged breaches of the duties of prudence and loyalty and failures to investigate and monitor plan investments and service providers. The parties negotiated a nonreversionary $1,250,000 settlement covering a class of 35,654 participants and beneficiaries, with an average estimated payment of approximately $40 per class member.

PROCEDURAL HISTORY

Plaintiffs filed the ERISA action on August 9, 2021, and filed the operative Second Amended Complaint on July 21, 2023. The Court certified a class and three subclasses on May 8, 2024. After mediation, the parties reached a settlement; the Court granted preliminary approval on May 8, 2025, held a final approval hearing on August 28, 2025, and granted final approval with modifications, reduced the requested attorneys' fees and incentive awards, awarded costs, and entered judgment dismissing the claims with prejudice.

DISPOSITION

approved

CASES CITED

- Hanlon v. Chrysler Corp., 150 F.3d 1011, 1025-26 (9th Cir. 1998)
- Wal-Mart Stores, Inc. v. Dukes, 564 U.S. 338, 362 (2011)
- California v. IntelliGender, LLC, 771 F.3d 1169, 1173 (9th Cir. 2014)
- Lane v. Facebook, Inc., 696 F.3d 811, 818-19 (9th Cir. 2012)
- Officers for Justice v. Civil Service Commission of City and County of San Francisco, 688 F.2d 615, 624-25 (9th Cir. 1982)
- In re Syncor ERISA Litigation, 516 F.3d 1095, 1101-02 (9th Cir. 2008)
- National Rural Telecommunications Cooperative v. DIRECTV, Inc., 221 F.R.D. 523, 526, 528-29 (C.D. Cal. 2004)
- In re Pacific Enterprises Securities Litigation, 47 F.3d 373, 378-79 (9th Cir. 1995)
- Vizcaino v. Microsoft Corp., 290 F.3d 1043, 1047, 1050, 1052 (9th Cir. 2002)
- Rodriguez v. West Publishing Corp., 563 F.3d 948, 958-59, 967 (9th Cir. 2009)
- Radcliffe v. Experian Information Solutions Inc., 715 F.3d 1157, 1164 (9th Cir. 2013)
- Chalmers v. Los Angeles, 796 F.2d 1205, 1210-11 (9th Cir. 1986)
- Camacho v. Bridgeport Financial, Inc., 523 F.3d 973, 979 (9th Cir. 2008)
- Harris v. Marhoefer, 24 F.3d 16, 19 (9th Cir. 1994)
- Conkright v. Frommert, 559 U.S. 506, 509 (2010)
- Reyes v. Bakery & Confectionery Union & Industry International Pension Fund, 281 F. Supp. 3d 833, 847, 861 (N.D. Cal. 2017)