

FEB 25 2008

ALAN SLATER, Clerk of the Court

*J. Praust*  
BY J. PRAUST

*per J.F.  
class action settlement  
bef. Trial - multi sides  
TT against Δ*

ELECTRONICALLY  
RECEIVED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CIVIL COMPLEX CENTER  
Feb 20 2008  
ALAN SLATER, Clerk of the Court

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF ORANGE - CENTRAL JUSTICE CENTER**

ALFRED G. RAVA, an individual  
suing on behalf of himself,  
all those similarly situated  
and the general public,

Plaintiff,

vs.

CLUB MED SALES, INC., a  
Delaware corporation; and  
DOES 1-100,

Defendants.

CASE NO. 03CC09858

Judge: Honorable Ronald L. Bauer  
Dept.: CX 103

**JUDGMENT BY COURT  
(CALIFORNIA RULE OF COURT 3.771)**

Filing Date: August 4, 2003  
Trial Date : None

On February 11, 2008 this Court granted plaintiffs' Motion  
to Approve Settlement of the above-entitled matter.

IT IS ORDERED THAT:

1. Plaintiffs' motion to approve settlement is granted  
for good cause shown on the grounds stated in the points and  
authorities in support thereto. The court finds that the settlement  
is "fair adequate and reasonable" within the meaning set forth in  
*Dunk v. Ford Motor Co.* (1996) 48 Cal.App.4th 1794.

2. Plaintiffs' unopposed request for attorneys' fees in

1 the amount of \$400,000.00 is granted in full. The court finds that  
2 class counsel's fees are reasonable given the complexity of the  
3 case, the time and energies required to litigate the case, the  
4 experience of the attorneys involved and the result obtained in the  
5 settlement. Interest on the attorney fee award shall accrue at the  
6 legal rate of interest, currently 10% to run from the date this  
7 judgment is entered. Attorney fees shall be paid by check payable  
8 to Glaser Jenkins LLP (Tax ID No. 01-0759737), mailed to:

9                   Glaser Jenkins LLP c/o Erik C. Jenkins  
10                   4250 Executive Square, Suite 555  
11                   La Jolla, CA 92037

12                   3. Plaintiff's request for costs is granted in part in  
13 the amount of ~~\$22,232.12~~<sup>\$23,232.83 (RLD)</sup>. Pursuant to the terms of the settlement  
14 agreement, payment for costs are to be divided equally between all  
15 257 members of the class making each class member responsible for  
16 \$90.40 in costs. Any class member submitting a claim form shall  
17 have these \$90.40 in costs deducted from the cash payment paid to  
18 them from Club Med. All other costs are to be paid to plaintiff's  
19 counsel from the gross settlement fund set forth in paragraph 9.2 of  
20 the Settlement Agreement. The Costs may be deposited by Club Med  
21 with the Class Administrator, Simpluris, Inc. which shall forward  
22 payment for costs by check payable to Glaser Jenkins LLP.

23                   4. Plaintiff's request for the expert witness fees to be  
24 paid for travel consultant fees to ESF MCF CRF LLC, as well as  
25 interest thereon, is denied in full.

26                   5. Club Med, through the class administration firm,  
27 Simpluris, Inc., is directed to distribute settlement packages  
28 outlined in paragraph 3.1 of the Settlement Agreement to all class

1 members who submitted a claim once final judgment is entered and the  
2 conditions outlined in paragraph 8.3(j) of the Settlement Agreement  
3 have been satisfied. For purposes of this litigation, a "class  
4 member" is designated as:

5 Male California purchasers of Club Med's Gender-  
6 Based Pricing Promotion offered from June 17,  
7 2003 to July 22, 2003 throughout California via  
8 the Internet, print media and other media, as  
9 well as through numerous travel agencies  
10 throughout California, and who, on the basis of  
11 their gender, were denied free or reduced  
12 airfare or other services. For purposes of this  
13 class, "male California purchasers" means all  
14 males who purchased Club Med's Gender-Based  
15 Promotion during the relevant time period while  
16 (1) physically located in California; and/or (2)  
17 through a California-based travel agency or  
18 travel service, regardless of the purchaser's  
19 physical location; and/or (3) via the Internet  
20 through a California-based, online travel agency  
21 or travel service, regardless of the purchaser's  
22 physical location.


23 6. The request for an incentive payment to class  
24 representative Francis Van Landingham to be paid from the gross  
25 settlement fund is granted in the amount of \$1,500.00.

26 7. The request for an incentive payment to class  
27 representative Alfred G. Rava to be paid from the gross settlement  
28 fund is granted in the amount of \$1,500.00.

1           8. All defendants who have been named in this action but  
2 who have not appeared are hereby dismissed from this action with  
3 prejudice.

4           9. A dismissal of the entire action, with prejudice,  
5 against all named defendants shall be filed by the Class  
6 Representative and/or Class Counsel upon the proper distribution of  
7 settlement funds in accordance with Paragraph 4.5 of the Settlement  
8 Agreement.

9  
10 DATED: February 25, 2008

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12 RONALD A. BAUER  
13 Judge of the Superior Court  
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