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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

LAURA HABBERFIELD, an individual,
KEONA KALU, an individual, KATIE
RUNNELLS, an individual, JUANITA
CARMET CACHADINA, an individual,
SARAH HUEBNER, an individual,
YESENIA VALIENTE, an individual,
VERONICA WALTON, an individual,
LISA MURPHY, an individual, NICOLE
HILL, an individual, NICOLE
STEWART, an individual, on behalf of
themselves and all others similarly
situated,

Plaintiffs,

v.

BOOHOO.COM USA, INC., a Delaware
corporation, BOOHOO.COM UK
LIMITED, a United Kingdom private
limited company, BOOHOO GROUP
PLC, a Jersey public limited company,
PRETTYLITTLETHING.COM USA
INC., a Delaware corporation,
PRETTYLITTLETHING.COM
LIMITED, a United Kingdom private
limited company, NASTYGAL.COM
USA INC., a Delaware corporation,
NASTY GAL LIMITED, a United
Kingdom private limited company, and
DOES 1-10, inclusive,

Defendants

CASE NO.: CV 22-3899-GW-JEMx

CLASS ACTION

**FINAL SETTLEMENT ORDER AND
JUDGMENT**

HON. GEORGE H. WU
United States District Judge

1 IT IS HEREBY ADJUDGED AND DECREED THAT:

2 1. This Judgment incorporates by reference the definitions in the Class Action
3 Settlement Agreement and Release dated April 6, 2023 (the “Settlement”), attached hereto
4 as Exhibit A, and all capitalized terms used herein shall have the same meanings as set
5 forth in the Settlement unless set forth differently herein. The terms of the Settlement are
6 fully incorporated in this Judgment as if set forth fully here.

7 2. The Court has jurisdiction over the subject matter of this action and all Parties
8 to the action, including all Settlement Class Members who do not timely exclude
9 themselves from one or more of the Classes. The list of excluded Settlement Class
10 Members was previously filed with the Court and is attached hereto as Exhibit B.

11 3. Pursuant to Federal Rule of Civil Procedure 23, the Court hereby certifies the
12 following Classes:

13 (a) All individuals in the 49 states, other than
14 California, including the District of Columbia, Guam, Puerto
15 Rico, American Samoa, U.S. Virgin Islands, and Northern
16 Mariana Islands, who made a purchase on <https://us.boohoo.com>
17 or <https://www.boohooman.com/us/> or associated mobile phone
18 applications between April 9, 2016 and June 17, 2022, excluding
19 any and all past or present officers, directors, or employees of
20 Defendants, any judge who presides over this Action, and any
21 partner or employee of Class Counsel (the “Boohoo Class”).

22 (b) All individuals in the 49 states, other than
23 California, including the District of Columbia, Guam, Puerto
24 Rico, American Samoa, U.S. Virgin Islands, and Northern
25 Mariana Islands, who made a purchase on
26 <https://prettylittlething.us> or associated mobile phone
27 applications between May 19, 2016 and June 17, 2022, excluding
28 any and all past or present officers, directors, or employees of
29 Defendants, any judge who presides over this Action, and any
30 partner or employee of Class Counsel (the “PrettyLittleThing
31 Class”).

32 (c) All individuals in the 49 states, other than
33 California, including the District of Columbia, Guam, Puerto
34 Rico, American Samoa, U.S. Virgin Islands, and Northern
35 Mariana Islands, who made a purchase on <https://nastygal.com>
36 or associated mobile phone applications between March 1, 2017
37 and June 17, 2022, excluding any and all past or present officers,
38 directors, or employees of Defendants, any judge who presides
39 over this Action, and any partner or employee of Class Counsel
40 (the “Nasty Gal Class”).

41 4. Pursuant to Federal Rule of Civil Procedure 23(c)(3), all such persons or

1 entities who satisfy the Class definition above, except those Settlement Class Members
2 who timely and validly excluded themselves from the Class, are Settlement Class
3 Members bound by this Judgment.

4 5. For settlement purposes only, the Court finds:

5 (a) Pursuant to Federal Rule of Civil Procedure 23(a), Laura Habberfield
6 is a member of the Nasty Gal Class, her claims are typical of the Nasty Gal Class,
7 and she fairly and adequately protected the interests of the Nasty Gal Class
8 throughout the proceedings in this action. Accordingly, the Court hereby appoints
9 Laura Habberfield as a class representative of the Nasty Gal Class;

10 (b) Pursuant to Federal Rule of Civil Procedure 23(a), Keona Kalu is a
11 member of the Boohoo Class and Nasty Gal Class, her claims are typical of the
12 Boohoo Class and Nasty Gal Class, and she fairly and adequately protected the
13 interests of the Boohoo Class and Nasty Gal Class throughout the proceedings in
14 this action. Accordingly, the Court hereby appoints Keona Kalu as a class
15 representative of the Boohoo Class and Nasty Gal Class;

16 (c) Pursuant to Federal Rule of Civil Procedure 23(a), Katie Runnells is a
17 member of the Boohoo Class, her claims are typical of the Boohoo Class, and she
18 fairly and adequately protected the interests of the Boohoo Class throughout the
19 proceedings in this action. Accordingly, the Court hereby appoints Katie Runnells
20 as a class representative of the Boohoo Class;

21 (d) Pursuant to Federal Rule of Civil Procedure 23(a), Juanita Carmet
22 Cachadina is a member of the Boohoo Class and Nasty Gal Class, her claims are
23 typical of the Boohoo Class and Nasty Gal Class, and she fairly and adequately
24 protected the interests of the Boohoo Class and Nasty Gal Class throughout the
25 proceedings in this action. Accordingly, the Court hereby appoints Juanita Carmet
26 Cachadina as a class representative of the Boohoo Class and Nasty Gal Class;

27 (e) Pursuant to Federal Rule of Civil Procedure 23(a), Sarah Huebner is a
28 member of the Boohoo Class, her claims are typical of the Boohoo Class, and she

1 fairly and adequately protected the interests of the Boohoo Class throughout the
2 proceedings in this action. Accordingly, the Court hereby appoints Sarah Huebner
3 as a class representative of the Boohoo Class;

4 (f) Pursuant to Federal Rule of Civil Procedure 23(a), Yesenia Valiente is
5 a member of the PrettyLittleThing Class, her claims are typical of the
6 PrettyLittleThing Class, and she fairly and adequately protected the interests of the
7 PrettyLittleThing Class throughout the proceedings in this action. Accordingly, the
8 Court hereby appoints Yesenia Valienta as a class representative of the
9 PrettyLittleThing Class;

10 (g) Pursuant to Federal Rule of Civil Procedure 23(a), Veronica Walton is
11 a member of the Boohoo Class, her claims are typical of the Boohoo Class, and she
12 fairly and adequately protected the interests of the Boohoo Class throughout the
13 proceedings in this action. Accordingly, the Court hereby appoints Veronica Walton
14 as a class representative of the Boohoo Class;

15 (h) Pursuant to Federal Rule of Civil Procedure 23(a), Lisa Murphy is a
16 member of the PrettyLittleThing Class, her claims are typical of the
17 PrettyLittleThing Class, and she fairly and adequately protected the interests of the
18 PrettyLittleThing Class throughout the proceedings in this action. Accordingly, the
19 Court hereby appoints Lisa Murphy as a class representative of the
20 PrettyLittleThing Class;

21 (i) Pursuant to Federal Rule of Civil Procedure 23(a), Nicole Hill is a
22 member of the Boohoo Class, her claims are typical of the Boohoo Class, and she
23 fairly and adequately protected the interests of the Boohoo Class throughout the
24 proceedings in this action. Accordingly, the Court hereby appoints Nicole Hill as a
25 class representative of the Boohoo Class;

26 (j) Pursuant to Federal Rule of Civil Procedure 23(a), Nicole Stewart is a
27 member of the Boohoo Class, PrettyLittleThing Class, and Nasty Gal Class, her
28 claims are typical of the Boohoo Class, PrettyLittleThing Class, and Nasty Gal

1 Class, and she fairly and adequately protected the interests of the Boohoo Class,
2 PrettyLittleThing Class, and Nasty Gal Class throughout the proceedings in this
3 action. Accordingly, the Court hereby appoints Nicole Stewart as a class
4 representative of the Boohoo Class, PrettyLittleThing Class, and Nasty Gal Class;

5 (k) Pursuant to Federal Rule of Civil Procedure 23(a), Me’Lisa Thimot is
6 a member of the Boohoo Class and PrettyLittleThing Class, her claims are typical
7 of the Boohoo Class and PrettyLittleThing Class, and she fairly and adequately
8 protected the interests of the Boohoo Class and PrettyLittleThing Class throughout
9 the proceedings in this action. Accordingly, the Court hereby appoints Me’Lisa
10 Thimot as a class representative of the Boohoo Class and PrettyLittleThing Class;

11 (l) Pursuant to Federal Rule of Civil Procedure 23(a), Marika Walton is a
12 member of the Boohoo Class, her claims are typical of the Boohoo Class, and she
13 fairly and adequately protected the interests of the Boohoo Class throughout the
14 proceedings in this action. Accordingly, the Court hereby appoints Marika Walton
15 as a class representative of the Boohoo Class;

16 (m) The Classes meet all the requirements of Federal Rules of Civil
17 Procedure 23(a), (b)(2), and (b)(3) for certification of the class claims alleged in the
18 operative complaint in this action, including: (a) numerosity; (b) commonality; (c)
19 typicality; (d) adequacy of the class representative and Class Counsel; (e)
20 predominance of common questions of fact and law among each of the Classes for
21 purposes of settlement; and (f) superiority; and

22 (n) Having considered the factors set forth in Rule 23(g)(1) of the Federal
23 Rules of Civil Procedure, Class Counsel have fairly and adequately represented the
24 Classes for purposes of entering into and implementing the Settlement.
25 Accordingly, the Court hereby appoints Class Counsel as counsel to represent the
26 Settlement Class Members.

27 6. Persons who filed timely exclusion requests are not bound by this Judgment
28 or the terms of the Settlement and may pursue their own individual remedies against

1 Defendants Boohoo Group PLC, Boohoo.com USA, Inc., Boohoo.com UK Limited,
2 PrettyLittleThing.com USA, Inc., PrettyLittleThing.com Limited, NastyGal.com USA,
3 Inc., and Nasty Gal Limited (collectively, “Defendants”). However, such excluded parties
4 are not entitled to any rights or benefits provided to Settlement Class Members by the
5 terms of the Settlement. The list of persons and entities excluded from one or more of the
6 Classes because they filed timely and valid requests for exclusion is attached hereto as
7 Exhibit B.

8 7. The Court directed that notice be given to Settlement Class Members by
9 publication, e-mail, mail, and other means pursuant to the notice program proposed by the
10 Parties in the Settlement and approved by the Court. The declaration from Kurtzman
11 Carson Consulting (KCC) attesting to the dissemination of notice to the Classes
12 demonstrates compliance with this Court’s Order Granting Preliminary Approval of Class
13 Settlement. The notice program set forth in the Settlement successfully advised Settlement
14 Class Members of the terms of the Settlement, the Final Approval Hearing (referred to in
15 the Settlement as the “Fairness Hearing”), and their right to appear at such hearing; their
16 rights to remain in or opt out of one or more of the Classes and to object to the Settlement;
17 the procedures for exercising such rights; and the binding effect of this Judgment, whether
18 favorable or unfavorable, to the Classes.

19 8. The distribution of notice to the Classes constituted the best notice practicable
20 under the circumstances, and fully satisfied the requirements of Federal Rule of Civil
21 Procedure 23, the requirements of due process, 28 U.S.C. § 1715, and any other applicable
22 law.

23 9. Pursuant to Federal Rule of Civil Procedure 23(e)(2), the Court finds after a
24 hearing and based upon all submissions of the Parties and other persons that the Settlement
25 proposed by the Parties is fair, reasonable, and adequate. The terms and provisions of the
26 Settlement are the product of arms-length negotiations conducted in good faith and with
27 the assistance of an experienced mediator and former United States district judge, the
28 Honorable Irma E. Gonzalez (Ret.). The Court has considered any timely objections to the

1 Settlement and finds that such objections are without merit and should be overruled.
2 Approval of the Settlement will result in substantial savings of time, money and effort to
3 the Court and the Parties, and will further the interests of justice.

4 10. Upon entry of this Final Settlement Order and Judgment, the named
5 Plaintiffs, and each Settlement Class Member other than those listed on Exhibit B, shall
6 be deemed to have fully, finally, and forever released and discharged all Class Released
7 Claims against all Released Parties, as defined in the Settlement.

8 11. All Settlement Class Members who have not timely and validly submitted
9 requests for exclusion are bound by this Judgment and by the terms of the Settlement.

10 12. Plaintiffs initiated this action, acted to protect the Classes, and assisted their
11 counsel. Their efforts have produced the Settlement entered into in good faith that provides
12 a fair, reasonable, adequate, and certain result for the Classes. Plaintiff Laura Habberfield
13 is entitled to an incentive award of \$1,000. Plaintiff Keona Kalu is entitled to an incentive
14 award of \$1,000. Plaintiff Katie Runnells is entitled to an incentive award of \$1,000.
15 Plaintiff Juanita Carmet Cachadina is entitled to an incentive award of \$1,000. Plaintiff
16 Sarah Huebner is entitled to an incentive award of \$1,000. Plaintiff Yesenia Valiente is
17 entitled to an incentive award of \$1,000. Plaintiff Veronica Walton is entitled to an
18 incentive award of \$1,000. Plaintiff Lisa Murphy is entitled to an incentive award of
19 \$1,000. Plaintiff Nicole Hill is entitled to an incentive award of \$1,000. Plaintiff Nicole
20 Stewart is entitled to an incentive award of \$1,000. Plaintiff Me’Lisa Thimot is entitled to
21 an incentive award of \$1,000. Plaintiff Marika Walton is entitled to an incentive award of
22 \$1,000. Class Counsel is entitled to reasonable attorneys’ fees in the amount of \$3,000,000
23 and costs in the amount of \$38,788. Claims administrator Kurtzman Carson Consultants,
24 LLC is entitled to \$1,000,000 for settlement administration costs.

25 13. The attorneys’ fees and incentive awards requested by Plaintiffs which were
26 not awarded to Class Counsel and the named Plaintiffs amount to \$1,164,212. This sum
27 shall be directed, split equally, to the *cy pres* organizations identified by the parties in
28 Section 2.5 of their Settlement Agreement. Accordingly, the National Consumer Law

1 Center shall be entitled to receive \$582,106, while BBB National Programs, Inc. shall also
2 be entitled to receive \$582,106 within 14 days of the entry of this Final Settlement Order
3 and Judgment.14. The Court hereby dismisses with prejudice the claims of the Settlement
4 Class Members in this action and the Released Parties are hereby released from all further
5 liability for the Released Claims.

6 15. Without affecting the finality of this Judgment, the Court reserves jurisdiction
7 over the implementation, administration and enforcement of this Judgment and the
8 Settlement, and all matters ancillary thereto.

9 16. The Court finding that no reason exists for delay in ordering final judgment
10 pursuant to Federal Rule of Civil Procedure 54(b), the clerk is hereby directed to enter this
11 Judgment forthwith.

12 17. The Parties are hereby authorized without needing further approval from the
13 Court to agree to and adopt such modifications and expansions of the Settlement that are
14 consistent with this Judgment and do not limit the rights of Settlement Class Members
15 under the Settlement.

16 IT IS SO ORDERED.

17
18 Dated: November 20, 2023



19 HON. GEORGE H. WU,
United States District Judge