

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

RETAIL WHOLESALE DEPARTMENT
STORE UNION LOCAL 338 RETIREMENT
FUND, et al.,

Plaintiffs,

v.

STITCH FIX, INC., et al.,

Defendants.

Case No. 5:22-cv-04893-PCP

CLASS ACTION

~~PROPOSED~~ **ORDER AWARDING
ATTORNEYS' FEES AND LITIGATION
EXPENSES**

Courtroom: 8 - 4th Floor
Judge: Hon. P. Casey Pitts

WHEREAS, this matter came on for hearing on September 24, 2026 (the "Settlement Hearing") on Lead Counsel's motion for an award of attorneys' fees and payment of Litigation Expenses. The Court having considered all matters submitted to it at the Settlement Hearing and otherwise; and it appearing that notice of the Settlement Hearing substantially in the form approved by the Court was mailed to all Settlement Class Members who or which could be identified with reasonable effort, and that a summary notice of the hearing substantially in the form approved by the Court was published in *The Wall Street Journal* and was transmitted over the *PR Newswire* pursuant to the specifications of the Court; and the Court having considered and determined the fairness and reasonableness of the award of attorneys' fees and Litigation Expenses requested,

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. This Order incorporates by reference the definitions in the Stipulation and Agreement of Settlement dated February 6, 2026 (Dkt. No. 126-1) (the "Stipulation") and all terms not otherwise defined herein shall have the same meanings as set forth in the Stipulation.

2. The Court has jurisdiction to enter this Order and over the subject matter of the Action and all parties to the Action, including all Settlement Class Members.

3. Notice of Lead Counsel's motion for an award of attorneys' fees and payment of Litigation Expenses was given to all Settlement Class Members who could be identified with reasonable effort. The form and method of notifying the Settlement Class of the motion for an award of attorneys' fees and expenses satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure, the Private Securities Litigation Reform Act of 1995 (15 U.S.C. § 78u-4(a)(7)), due process, and all other applicable law and rules, constituted the best notice practicable under the circumstances, and constituted due and sufficient notice to all persons and entities entitled thereto.

4. Plaintiffs' Counsel are hereby awarded attorneys' fees in the amount of 25% of the Settlement Fund (including interest earned on this amount at the same rate as the Settlement Fund). Lead Counsel is also hereby awarded \$214,483.26 for payment of its Litigation Expenses. These attorneys' fees and expenses shall be paid from the Settlement Fund and the Court finds these sums to be fair and reasonable. Lead Counsel shall allocate the attorneys' fees awarded among Plaintiffs' Counsel in a manner which it, in good faith, believes reflects the contributions of such counsel to the institution, prosecution, and settlement of the Action.

5. Plaintiffs' Counsel shall be paid 90% of the attorneys' fees and 100% of the approved Litigation Expenses immediately upon entry of the Judgment approving the Settlement and this Order. The remaining 10% of the attorneys' fees awarded (and any interest earned thereon) will be paid after Lead Plaintiffs conduct the distribution of the Net Settlement Fund to eligible Claimants and file the Post-Distribution Accounting.

6. In making this award of attorneys' fees and Litigation Expenses to be paid from the Settlement Fund, the Court has considered and found that:

a. The Settlement has created a fund of \$32,000,000 in cash that has been funded into escrow pursuant to the terms of the Stipulation, and that numerous Settlement Class Members who submit acceptable Claim Forms will benefit from the Settlement that occurred because of the efforts of Plaintiffs' Counsel;

1 b. Plaintiffs' Counsel litigated this case on a purely contingent basis, and have not
2 received any compensation for their work on this matter over the last four years;

3 c. The fee sought is consistent with the Ninth Circuit's benchmark fee award in
4 percentage fee cases, *see In re Online DVD-Rental Antitrust Litig.*, 779 F.3d 934, 949 (9th Cir.
5 2015);

6 d. The requested fee has been again reviewed and approved as reasonable by Lead
7 Plaintiffs, a group of sophisticated institutional investors that actively supervised the Action;

8 e. Copies of the Notice were mailed to over 351,000 potential Settlement Class
9 Members and nominees stating that Lead Counsel would apply for attorneys' fees for Plaintiffs'
10 Counsel in an amount not to exceed 25% of the Settlement Fund and payment of Litigation
11 Expenses in an amount not to exceed \$300,000 and no objections to the requested award of
12 attorneys' fees or Litigation Expenses were submitted;

13 f. Lead Counsel conducted the litigation and achieved the Settlement with skill,
14 perseverance and diligent advocacy;

15 g. Had Lead Counsel not achieved the Settlement there would remain a significant risk
16 that Lead Plaintiffs and the other members of the Settlement Class may have recovered less or
17 nothing from Defendants;

18 h. Lead Counsel devoted over 5,800 hours, with a lodestar value of approximately
19 \$4.28 million, to achieve the Settlement, and will continue to perform work on behalf of the
20 Settlement Class in overseeing the Claims Administrator's processing of claims received and the
21 distribution of the Net Settlement Fund; and

22 i. The amount of attorneys' fees awarded and expenses to be paid from the Settlement
23 Fund are fair and reasonable and consistent with awards in similar cases.

24 7. Lead Plaintiffs are hereby awarded \$8,753.88 from the Settlement Fund for their reasonable
25 costs and expenses directly related to their representation of the Settlement Class.

26 8. Any appeal or any challenge affecting this Court's approval regarding any attorneys' fees
27 and expense application shall in no way disturb or affect the finality of the Judgment.
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6 11. There is no just reason for delay in the entry of this Order, and immediate entry by the Clerk
7 of the Court is expressly directed.

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The Honorable P. Casey Pitts
United States District Judge