

1 Allen K. Hutkin (SBN 143200)
ahutkin@hutkinlaw.com
2 Donald L. Mabry (SBN 187750)
dmabry@hutkinlaw.com
3 HUTKIN LAW FIRM, APC
4 1220 Marsh Street
San Luis Obispo, CA 93401
5 (805) 544-1500
6 (805) 544-1532 fax

7 Attorneys for Plaintiffs
ALEJANDRA GUZMAN, KARLA QUIJADA,
8 and ANTHONY MACEDONIA,
9 individually and on behalf of other individuals employed
under common circumstances and facts

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF SAN LUIS OBISPO**

13 ALEJANDRA GUZMAN, KARLA
QUIJADA, and ANTHONY MACEDONIA,
14 individually and on behalf of other
15 individuals employed under common
circumstances and facts,

16 Plaintiffs,

17 v.

18 THE HACIENDA COMPANY, LLC, a
19 California limited liability company; AJ
20 SAY, an individual; and DOES 1 through
50, inclusive,

21 Defendants.

ELECTRONICALLY
FILED

3/1/2022 4:25 PM

SAN LUIS OBISPO SUPERIOR COURT
BY Carol L. McGulrk
Carol L. McGulrk, Deputy Clerk

CASE NO.: 19CV-0543

[CLASS ACTION]

**NOTICE OF MOTION AND MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

**[Concurrently Filed With:
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
MOTION; DECLARATION OF ALLEN K.
HUTKIN IN SUPPORT OF MOTION;
DECLARATION OF CAROLE
THOMPSON REGARDING CLASS
NOTIFICATION AND SETTLEMENT
ADMINISTRATION; and
PROPOSED ORDER]**

Date: March 23, 2022
Time: 9:00 a.m.
Dept. 9

Assigned for all purposes to the
Honorable Tana L. Coates, Dept. 9
Action Filed September 13, 2019

1 TO THE COURT, PARTIES, AND ALL COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT on March 23, 2022 at 9:00 a.m., or as soon thereafter
3 as the matter may be heard, in Department 9 of the San Luis Obispo County Superior Court, the
4 Honorable Tana L. Coates presiding, located at 1050 Monterey Street in San Luis Obispo,
5 California 93408, ALEJANDRA GUZMAN, KARLA QUIJADA, and ANTHONY
6 MACEDONIA (collectively "Named Plaintiffs"), individually and on behalf of other
7 individuals employed under common circumstances and facts, will jointly move for an order
8 granting final approval of a proposed class action settlement in the above-captioned class
9 action. In this motion, Named Plaintiffs seek orders:

10 1. Granting final approval of the parties' class action settlement under the terms set
11 forth in the Joint Stipulation of Class Action and PAGA Settlement and Release of Claims
12 ("Settlement Agreement");

13 2. Designating the action as a class action under the California Code of Civil
14 Procedure;

15 3. Certifying the proposed Settlement Class;

16 4. Appointing the Named Plaintiffs, ALEJANDRA GUZMAN, KARLA
17 QUIJADA, and ANTHONY MACEDONIA, as Class and PAGA Representatives;

18 5. Appointing Allen K. Hutkin and Donald L. Mabry of the Hutkin Law Firm,
19 APC, as class counsel ("Class Counsel");

20 6. Approving the Maximum Settlement Fund ("MSF") of \$1,200,000.00;

21 7. Approving the payment of Class Counsel's attorneys' fees of one-third of the
22 MSF (i.e., \$400,000.00) and reimbursement of actual costs and expenses not to exceed \$25,000
23 to Class Counsel;

24 8. Approving the Settlement Administrators fees and costs of \$44,000.00, to be
25 paid from the MSF to CPT Group, Inc.;

26 9. Approving the Service Awards of \$70,000.00 to the following individuals:

27 Alejandro Guzman \$12,500

28 Karla Quijada \$12,500

1	Israel Ortiz	\$12,500
2	Karla Bautista	\$12,500
3	Maria de la Luz Yanez	\$5,000
4	Maria Luisa Yanez	\$5,000
5	Beatrice Barajas	\$5,000
6	Anthony Macedonia	\$5,000

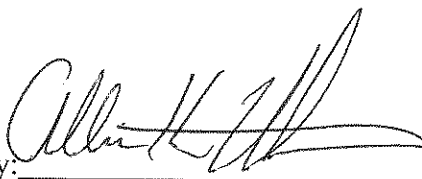
7 10. Approving a PAGA payment in the amount of \$15,000 from which 75%
8 (\$11,250.00) will be paid to the Labor & Workforce Development Agency with the remaining
9 25% (\$3,750.00) paid to the Settlement Class Members; and

10 11. Approving payments to individual eligible Settlement Class Members in
11 accordance with the disbursement schedule set forth in ¶17(a) of the Settlement Agreement.

12 The Motion is based upon this Notice of Motion, the accompanying Memorandum of
13 Points and Authorities in Support of the Motion and the authorities cited therein, the
14 accompanying Declaration of Allen K. Hutkin in Support of the Motion and exhibits attached
15 thereto, the accompanying Declaration of Carole Thompson regarding class notification and
16 settlement administration and exhibits attached thereto, oral argument of counsel at the hearing,
17 and any other matter that may be submitted at or before the hearing.

18 Date: February 28, 2022

HUTKIN LAW FIRM, APC

19
20
21 

22 By: _____
23 Allen K. Hutkin
24 Donald L. Mabry
25 Attorneys for Plaintiffs
26 ALEJANDRA GUZMAN, KARLA QUIJADA,
27 and ANTHONY MACEDONIA, individually and
28 on behalf of other individuals employed under
common circumstances and fact

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I am employed by the Hutkin Law Firm in the County of San Luis Obispo, State of California. I am over the age of 18 years and not a party to the within action. My business address is: 1220 Marsh Street, San Luis Obispo, California, 93401. My email address is: jmendoza@hutkinlaw.com. On March 1, 2022 I served the following document:

NOTICE OF MOTION AND MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

on the interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope (envelope omitted if service by electronic service and/or facsimile) addressed as follows:

_____ **By United States Mail.** I am readily familiar with this business' practice for collection and processing of correspondence for mailing with the United States Postal Service. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid. I enclosed the above-referenced document(s) in a sealed envelope or package addressed to the person(s) at the address(es) as set forth below, and following ordinary business practices I placed the package for collection and mailing on the date and at the place of business set forth below.

_____ **By Personal Service.** I served the above referenced document(s) by placing them in an envelope or package addressed to the person(s) at the address(es) listed below and hand delivered to them to the office of the addressee(s) shown below.

✓ _____ **By Electronic Service.** Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the above-reference document(s) to be sent to the person(s) at the electronic address(es) listed below.

Todd B. Scherwin
Hannah Sweiss
Robert D. Wilson III
FISHER & PHILLIPS, LLP
444 South Flower Street, Suite 1500
Los Angeles, CA 90071
tscherwin@fisherphillips.com
hsweiss@fisherphillips.com
rwilson@fisherphillips.com

Dennis P. Wilson
Wilson Trial Group
3322 West Victory Boulevard
Burbank, CA 91505
wilsontrialgroup@gmail.com

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 1, 2022 in San Luis Obispo, California.


Janie Mendoza