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SUPERIOR COURT OF CALIFORNIA

FOR THE COUNTY OF ORANGE – CIVIL COMPLEX CENTER

VERNELL BATTLE, JR., on behalf of himself
and other similarly-situated employees,

Plaintiff,

vs.

SAFRAN CABIN, INC., a Delaware
Corporation; and DOES 1 through 25, inclusive,

Defendants.

CASE NO. 30-2020-01140831-CU-OE-CXC
ASSIGNED FOR ALL PURPOSES TO:
The Honorable Peter J. Wilson
Department CX 101

CLASS ACTION

**NOTICE OF MOTION AND MOTION
FOR ORDER GRANTING FINAL
APPROVAL OF CLASS AND PAGA
ACTION SETTLEMENT**

Hearing Set by Court

(01/10/2023 Order - ROA #211)

Date: June 1, 2023

Time: 2:00 p.m.

Dept: CX 101

Judge: Hon. Peter J. Wilson

Complaint filed: May 26, 2020

Trial date: Not set

PLEASE TAKE NOTICE on June 1, 2023 at 2:00 p.m. or as soon as the matter may be heard in Department CX-101 of the above-captioned Court located at 751 West Santa Ana Blvd., Santa Ana, California 92701, Honorable Peter J. Wilson presiding, Plaintiff Vernell Battle, Jr., on behalf of himself and the putative class, will move this Court for an Order Granting Final Approval of Class and PAGA Action Settlement and Entering Judgment as set forth in the Joint Stipulation of Class Actin and PAGA Settlement and Release filed as Exhibit A to the Declaration of Isam C. Khoury on August 11, 2022 (ROA #140) and the Addendum to Joint Stipulation of Class Actin and PAGA Settlement and Release filed as Exhibit B to the Supplemental Declaration of Isam C. Khoury on December 22, 2022 (ROA #191) (collectively, "Agreement"). Plaintiff moves this Court to:

1. Finally adjudicate the Settlement is fair, reasonable, and adequate;
2. Direct distribution of Individual Settlement Payments by the Settlement Administrator to all Participating Class Members in accordance with the Agreement;
3. Approve and direct payment to Class Counsel for their attorneys' fees in the sum of \$1,472,850.00 (reduced from \$1,818,333.33) and reimbursement of their actual litigation costs of \$15,956.37;
4. Approve and direct the Class Representative Service Payment of \$7,500.00 to Plaintiff Vernell Battle, Jr.
5. Approve and direct the payment to Simpluris, Inc., the appointed Settlement Administrator, of \$19,075.00 for its fees and costs in administering the Settlement;
6. Approve the PAGA Payment to California's Labor and Workforce Development Agency of \$187,500.00 (75% share of the \$250,000.00 for civil penalties); and,
7. Direct the Clerk of the Court to enter final judgment, and without affecting the finality of the final judgment, to reserve the Court's continuing jurisdiction over the Parties for the purposes of implementing, enforcing, or administering the terms of the Agreement.

This motion is made on the grounds that the proposed Settlement, preliminarily approved by this Court on January 10, 2023 (ROA #211), is the product of arms'-length, good-faith negotiations, is fair and reasonable to the Class, and should now be finally approved, as more fully discussed in the accompanying Memorandum in Support of Final Approval of Class Action Settlement and Entering

1 Final Judgment.

2 This motion is based on this Notice of Motion, the Memorandum of Points and Authorities in
3 Support, Declarations of Class Counsel Isam C. Khoury and Emil Davtyan, Declaration of Plaintiff
4 Vernell Battle, Jr. filed August 11, 2022 (ROA #138), Declaration of Evelin Reyes on behalf of
5 Simpluris, Inc., the Agreement, the Notice of Class Action Settlement, the Order Granting Preliminary
6 Approval of Class and PAGA Action Settlement (ROA #211), the [Proposed] Order Granting Final
7 Approval of Class and PAGA Action Settlement and Entering Judgment, the Court's files in this matter,
8 including but not limited to the Motion for Preliminary Approval of Class and PAGA Action
9 Settlement, and any other documents or evidence the Court may consider at the hearing.

10 Respectfully submitted,

11 COHELAN KHOURY & SINGER
12 DAVTYAN LAW FIRM, INC.

13 Dated: May 5, 2023

14 By:  _____

15 Isam C. Khoury, Esq.

16 Attorneys for Plaintiff Vernell Battle, Jr., on behalf of
17 himself and all others similarly situated
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