

1 **JAMES HAWKINS APLC**
James R. Hawkins (192925)
2 Christina Lucio (253677)
9880 Research Drive, Suite 200
3 Irvine, CA 92618
4 Tel.: (949) 387-7200
Fax: (949) 387-6676
5 Email: James@jameshawkinsaplc.com
Email: christina@jameshawkinsaplc.com

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7 Attorneys for Plaintiff KEVIN HARRIS,
on behalf of himself and all others similarly situated

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF PLACER**

10 KEVIN HARRIS, individually and on
11 behalf of himself and all others similarly
12 situated,

13 Plaintiff,

14 v.

15 MCKESSON MEDICAL-SURGICAL
INC., a Delaware Corporation; and DOES
16 1-50, inclusive,

17 Defendants

Case No. S-CV-0044686

Assigned for All Purposes to:
Hon. Garen Horst
Dept.: 42

**PLAINTIFF'S NOTICE OF MOTION AND
MOTION FOR FINAL APPROVAL OF
JOINT STIPULATION OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: June 27, 2024
Time: 8:30 a.m.
Dept.: 42

Complaint Filed: April 3, 2020
Trial Date: None Set

1 **TO THE HONORABLE COURT, DEFENDANTS AND THEIR ATTORNEYS OF**
2 **RECORD:**

3 **PLEASE TAKE NOTICE THAT** on June 27, 2024 at 8:30 a.m., or as soon thereafter as
4 the matter may be heard, in Department 42 of the Placer County Superior Court at the Hon.
5 Howard G. Gibson Courthouse located at 10820 Justice Center Drive, Roseville, CA 95678,
6 before the Honorable Garen Horst, Plaintiff Kevin Harris (“Plaintiff”), through his undersigned
7 Class Counsel, will and hereby does move the Court to (1) grant final approval of the Joint
8 Stipulation of Class Action and PAGA Settlement reached between Plaintiff and Defendant
9 McKesson Medical-Surgical, Inc. (“Defendant”) (collectively “the Parties”), the terms of which
10 are set forth in the Joint Stipulation of Class Action and PAGA Settlement (“Settlement”)
11 attached as **Exhibit 1** to the supporting Declaration of James R. Hawkins (“Hawkins Final
12 Decl.”); (2) certify the Class for Settlement Purposes; (3) grant the requested settlement
13 administration expenses to the Settlement Administrator, ILYM Group, Inc., which administered
14 the settlement; and (4) enter final judgement substantially in the form of the proposed order
15 submitted herewith. Plaintiff concurrently brings a motion for approval of the Class
16 Representative Service Payment and Attorneys’ Fees and Costs.

17 The Settlement has been successfully administered, and good cause exists for granting the
18 Motion and finding the Settlement and settlement administration expenses to be fair, reasonable,
19 and appropriate.

20 This motion is brought pursuant to California Rule of Court 3.769 and California Code of
21 Civil Procedure section 382, and is based on this Notice of Motion and Motion; the Memorandum
22 of Points and Authorities in support of this Motion; the Declarations of James R. Hawkins and
23 Christina M. Lucio in Support of Final Approval; the Declaration of Plaintiff Kevin Harris in
24 Support of Final Approval; the Declaration of Nathalie Hernandez of Settlement Administrator
25 ILYM Group, Inc., the Proposed Order Granting Final Approval of Class Action and PAGA
26 Settlement and Judgement thereon; all documents currently on file in this action including
27 without limitation those submitted in support of preliminary approval; the arguments of counsel;
28 and such other and further evidence as the Court may choose to entertain.

1 This motion is set to be heard concurrently with Plaintiff's Motion for Attorney's Fees
2 and Costs, and Class Representative Service Payment.

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4 Dated: June 3rd, 2024

Respectfully Submitted:

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6 **JAMES HAWKINS, APLC**

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8 By: 
9 James R. Hawkins
10 Christina M. Lucio
11 Mitchell J. Murray

12 Attorneys for Plaintiff
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