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Attorneys for Plaintiffs MARIE DEMARTINI, and JOSE SOTO
on behalf of themselves and all others similarly situated

ADDITIONAL COUNSEL ON NEXT PAGE

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF MARIN**

MARIE DEMARTINI, WILLIE
AUSTIN, JR., and JOSE SOTO, on
behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

SAFELITE FULFILLMENT, INC.,
DBA SAFELITE AUTO GLASS, a
Delaware Corporation; SAFELITE
SOLUTIONS, LLC, a Delaware
Corporation; BARRETT BUSINESS
SERVICES, INC., a Maryland
Corporation; and DOES 1-50, inclusive,

Defendants.

Case No. CIV20002076

Assigned for All Purposes To:
Hon. Sheila Lichtblau
Dept. H

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT
AGREEMENT AND AWARD OF
ATTORNEYS' FEES, COSTS, AND
CLASS REPRESENTATIVE SERVICE
PAYMENTS**

Date: January 22, 2025
Time: 1:30 p.m.
Dept.: Courtroom H

1 Norman B. Blumenthal, State Bar No. 068687
2 Kyle R. Nordrehaug, State Bar No. 205975
3 Aparajit Bhowmik, State Bar No. 248066
4 Piya Mukherjee, State Bar No. 274217
5 Victoria Rivaplacio, State Bar No. 275115
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17 Attorneys for Plaintiff WILLIE AUSTIN JR., on behalf of
18 himself and all others similarly situated
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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on January 22, 2025, at 1:30 p.m. in Department H of the Marin County Superior Court located at 3501 Civic Center Drive, San Rafael, California 94903, or as soon thereafter as this matter can be heard, Plaintiffs Marie DeMartini, Willie Austin Jr., and Jose Soto (“Plaintiffs”) will and hereby do move this Court for an order granting final approval of the Class Action Settlement Agreement (“Settlement”) by and between Plaintiffs, on behalf of themselves and the conditionally certified Class, and Defendants Safelite Fulfillment, Inc. d.b.a. Safelite Auto Glass, Safelite Solutions, LLC, and Barrett Business Services, Inc. (“Defendants”). Plaintiffs respectfully request that the Court (1) finally approve the Settlement as fair, adequate, and reasonable; (2) certify the Class for settlement purposes; (3) grant the requested settlement administration expenses to the Settlement Administrator, ILYM Group, Inc., which has managed the settlement administration; and (4) enter final judgment substantially in the form of the proposed order submitted herewith.

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

PLEASE TAKE FURTHER NOTICE that Plaintiff will also and hereby does move this Court for an order awarding (a) Class Counsel’s attorneys’ fee in the amount of \$1,000,000 and litigation costs of \$22,513.47; and (b) a Class Representative Service Payments in the amount of \$10,000 to each Plaintiff (\$30,000 total).

This motion is brought pursuant to California Rule of Court 3.769 and California Code of Civil Procedure section 382, and is based on this Notice of Motion and Motion; the Memorandum of Points and Authorities in support of the Motion; the Declaration of James R. Hawkins; the Declaration of Plaintiffs Marie DeMartini, Willie Austin Jr., and Jose Soto; the Declaration of Nathalie Hernandez on behalf of ILYM Group, Inc.; the Proposed Order Granting Final Approval of Class Action Settlement Agreement and Judgment; all documents currently on file in this action including without limitation those submitted in support of preliminary approval; the arguments of counsel; and such other and further evidence as the Court may choose

1 to entertain.

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3 Dated: December 23, 2024

JAMES HAWKINS APLC

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5 By: 

6 James R. Hawkins
7 Christina M. Lucio
8 Mitchell J. Murray

9 Attorneys for Plaintiffs
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