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14 (Additional Counsel Listed Below)

15 **SUPERIOR COURT OF CALIFORNIA**
16 **COUNTY OF SAN DIEGO**

17 * * *

18 KIM STAPLETON, LISA BO and RAQUEL
19 MARTINEZ, individually as aggrieved
20 employees and on behalf of the State of
21 California,

22 Plaintiff,

23 vs.

24 COVENANT CARE CALIFORNIA, LLC, a
25 California Limited Liability Company;
26 Covenant Care Capitola, LLC, a California
27 Limited Liability Company; Covenant Care
28 Courtyard, LLC, a California Limited Liability
Company; Covenant Care Encinitas, LLC, a
California Limited Liability Company;
Covenant Care La Jolla, LLC, a California
Limited Liability Company; Covenant Care
Lodi, LLC, a California Limited Liability
Company; Covenant Care Long Beach, Inc., a
California Limited Liability Company;
Covenant Care Mission, Inc., a California
Limited Liability Company; Covenant Care
Morgan Hill, LLC, a California Limited
Liability Company; and Covenant Care Orange,

Case No. 37-2018-00010777

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION FOR ATTORNEYS'
FEES, COSTS AND SERVICE
ENHANCEMENT AWARD**

Date: May 20, 2021
Time: 9:30 a.m.
Dept.: C-66
Judge: Hon. Kenneth J. Medel

1 Inc., a California Limited Liability Company
2 and DOES 1 through 50, inclusive,

3 Defendants.

4 **S. BRETT SUTTON SBN 143107**

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Attorneys for Plaintiff RAQUEL MARTINEZ, individually and on behalf of the State of
California

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on May 20, 2021, at 9:30 a.m., in Department C-66 of the
3 above-entitled Court located at 330 W. Broadway, San Diego, California 92101, or as soon
4 thereafter as possible subject to the Court's calendar, Plaintiffs KIM STAPLETON, LISA BO and
5 RAQUEL MARTINEZ (collectively "Plaintiffs") will and hereby do move for an Order granting
6 Plaintiffs' Attorneys' Fees, Costs and Service Enhancement Awards.

7 This Motion is made pursuant to California Labor Code section 2699(l), which requires
8 court approval for settlement of any claims based on the California Private Attorneys General Act
9 of 2004 ("PAGA"), and California Labor Code section 2699(g)(1), which provides for an award
10 of reasonable attorney fees and costs. The basis of this Motion is that the Parties agree that
11 Plaintiffs may move the Court for an award of reasonable attorneys' fees and costs pursuant to the
12 settlement of Plaintiffs' claims under the PAGA, as well as for service enhancement awards to the
13 Named Plaintiffs, all in amounts subject to Court approval. The California Labor and Workforce
14 Development Agency has received notice of the Settlement and this Motion for Attorneys' Fees,
15 Costs and Service Enhancement Awards in accordance with Labor Code section 2699(l)(2).

16 This Motion will be based on the following Memorandum of Points and Authorities, the
17 documents on file in this matter, the Declarations of Jared Hague, R. Scott Erlewine, Brett Sutton,
18 Michael Miller, Kim Stapleton, Lisa Bo and Raquel Martinez in support of this Motion, and upon
19 such other oral or documentary argument or evidence as may be submitted at or before the hearing
20 of this Motion.

21
22 Dated: April 27, 2021

SUTTON HAGUE LAW CORPORATION, P.C.

23
24 

25 By: _____
26 JARED HAGUE
27 Attorneys for Plaintiffs
28 KIM STAPLETON, LISA BO and
RAQUEL MARTINEZ

PROOF OF SERVICE

My business address is **9790 Gateway Drive, Suite 200, Reno, Nevada 89521**. I am employed in Reno, Nevada. I am over the age of 18 years and am not a party to this case.

On the date indicated below, I served the foregoing document(s) described as:
PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR ATTORNEYS' FEES, COSTS AND SERVICE ENHANCEMENT AWARD on all interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

Kathryn T. McGuigan Morgan, Lewis & Bocklus LLP 300 S. Grand Ave., Ste. 2200 Los Angeles, CA 90071 kathryn.mcguigan@morganlewis.com Attorneys for Defendant	Michael Miller Christopher Light Light & Miller, LLP 8880 Rio San Diego Drive Rio Vista Tower, 8th Floor San Diego, California 92108 Tel: (619) 554-8460 Fax: (619) 996-7070 michael@lightmiller.com chris@lightmiller.com	Arin Norjianian James Demerjian Arin James LLP 100 N. Brand Blvd., Ste. 620 Glendale, California 91203 Tel: (818) 476-0133 arin@arinjames.com james@arinjames.com
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____ (BY FIRST CLASS MAIL) I am readily familiar with the business' practice for collection and processing of correspondence for mailing, and that correspondence, with postage thereon fully prepaid, will be deposited with the United States Postal Service on the date noted below in the ordinary course of business, at Reno, Nevada.

 X (BY EMAIL) Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed above from my electronic services address.

EXECUTED on April 27, 2021, at Fresno, California.

 X (STATE) I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.



Rachel Mullinax