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Attorneys for Plaintiff KAYLA MILLIGAN,
individually and on behalf of all other similarly
situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

KAYLA MILLIGAN, individually and on
behalf of all others similarly situated,

Plaintiffs,

vs.

CWI, Inc. d/b/a Camping World, a
Kentucky Corporation; and DOES 1-50,
inclusive

Defendants.

CASE NO. CIVDS2020159

Assigned to the Hon. David Cohn

CLASS ACTION

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

[Declaration of James Hawkins In Support of
Motion for Final Approval of Class and PAGA
Settlement; Memorandum of Points and
Authorities; Declaration of Plaintiff Kayla
Milligan; and [Proposed] Order filed
concurrently herewith]

DATE: September 7, 2022

TIME: 10:00a.m.

DEPT.: S-26

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

3 **PLEASE TAKE NOTICE** that on September 7, 2022, at 10:00 a.m., or as soon thereafter
4 as this matter can be heard, in Department S-26 of the San Bernardino Superior Court located at
5 247 West Third Street, San Bernardino, CA 92415, the Honorable David Cohn presiding, Plaintiff
6 Kayla Milligan (“Plaintiff”) will, and hereby does move this Court for an order:

7 1. Granting final approval of the Class and PAGA Action Settlement and Release (the
8 “Settlement”) by and between Plaintiff, on behalf of herself and the conditionally certified Class,
9 and Defendant CWI, Inc. d/b/a Camping World (“Defendant”), attached as **Exhibit 1** to the
10 Declaration of James R. Hawkins in Support of Plaintiff’s Motion for Final Approval of Class
11 Action and PAGA Settlement (“Hawkins Decl.”);

12 2. Finally approving the Settlement as fair, adequate, and reasonable;

13 3. Certifying the California Class for settlement purposes;

14 4. Granting the requested settlement administration expenses to the Settlement
15 Administrator, ILYM Group, Inc., which has managed the settlement administration; and

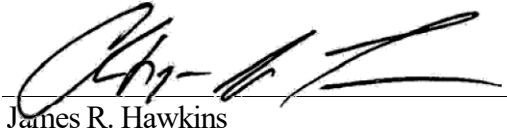
16 5. Entering final judgment substantially in the form of the proposed order submitted
17 herewith.

18 The Settlement has been successfully administered, and good cause exists for granting the
19 Motion and finding the Settlement and settlement administration expenses to be fair, reasonable,
20 and appropriate. This motion is brought pursuant to California Rule of Court 3.769 and California
21 Code of Civil Procedure section 382, and is based on this Notice of Motion and Motion; the
22 Memorandum of Points and Authorities in support of the Motion; the Declaration of Plaintiff Kayla
23 Milligan; the Declaration of Settlement Administrator Makenna Snow; Declaration of James R.
24 Hawkins; the [Proposed] Order Granting Final Approval of Class and PAGA Action Settlement
25 and Judgment; all documents currently on file in this action including without limitation those
26 submitted in support of preliminary approval; the arguments of counsel; and such other and further
27 documentary evidence and oral argument as may be presented at or before the hearing on this
28

1 motion, or as the Court may choose to entertain. This motion is set to be heard concurrently with
2 Plaintiff's Motion for Attorneys' Fees and Costs, and Class Representatives' Service Awards.
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4 Dated: August 15, 2022

Respectfully submitted,

6 By: 

7 James R. Hawkins

Christina M. Lucio

8 **JAMES HAWKINS, APLC**

9 Attorneys for Plaintiff Kayla Milligan individually and
10 on behalf of all other similarly situated
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PROOF OF SERVICE, COUNTY OF ORANGE

I am a resident of the State of California, County of Orange. I am over the age of eighteen years and not a party to the within action. My business address is 9880 Research Drive., Suite 200, Irvine, California 92618.

On August 15, 2022, I served on the interested parties in this action the following document(s) entitled:

- **PLAINTIFF’S NOTICE OF MOTION AND MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT**
- **PLAINTIFF’S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT**
- **DECLARATION OF JAMES R. HAWKINS IN SUPPORT OF (1) PLAINTIFF’S MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND (2) MOTION FOR ATTORNEYS’ FEES, COSTS AND CLASS REPRESENTATIVE ENHANCEMENT AWARD**
- **DECLARATION OF KAYLA MILLIGAN IN SUPPORT OF MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND MOTION FOR ATTORNEYS’ FEES, COSTS AND CLASS REPRESENTATIVE ENHANCEMENT AWARD**
- **DECLARATION OF MAKENNA SNOW OF ILYM GROUP, INC., IN SUPPORT OF MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**
- **[PROPOSED] ORDER GRANTING PLAINTIFF’S MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT**

[XX] BY ELECTRONIC SERVICE: Based on a court Order or an agreement by the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from the email address Nicole@jameshawkinsaplc.com to the persons at the e-mail addresses listed in the Service List below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

SERVICE LIST

REBECCA ARAGON, Bar No. 134496 Raragon@littler.com HOVANNES G. NALBANDYAN, Bar No. 300364 Hnalbandyan@littler.com LAURA E. SCHNEIDER, Bar No. 326077 Lschneider@littler.com Michele Morelli MMorelli@littler.com Sarah Fleming SAFleming@littler.com LITTLER MENDELSON, P.C. 633 W. Fifth Street, 63rd Floor Los Angeles, CA 90071 Attorneys for Defendant CWI, Inc. d/b/a Camping World	<u>Via LWDA Website</u> Labor and Workforce Development Agency Attn: PAGA Administrator 1515 Clay Street, Ste 801 Oakland, CA 94612 http://www.dir.ca.gov/Private-Attorneys-General-Act
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[XX] **STATE:** I declare under penalty of perjury, under the laws of the State of California, that the above is true and correct.

Executed on August 15, 2022, at Irvine, California



Nicole Miccolis