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Attorneys for Plaintiff Daniel Marden, on behalf of himself
and all other similarly-situated and aggrieved employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF PLACER

DANIEL MARDEN, on behalf of himself
and all other similarly-situated and
aggrieved employees,

Plaintiff,

v.

CVS PHARMACY, INC., a Rhode Island
Corporation; LONGS DRUG STORES
CALIFORNIA, L.L.C.; a California Limited
Liability Company; and DOES 1 through 10,
Inclusive,

Defendants.

Case No. S-CV-0045902

CLASS AND REPRESENTATIVE ACTION

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

Hearing: October 5, 2023

Time: 8:30 a.m.

Dept: 3

Judge: Hon. Michael Jones

Complaint filed: December 4, 2020

Trial date: Not set

PLEASE TAKE NOTICE on October 5, 2023 at 8:30 a.m., or as soon as the matter may be heard in Department 3 of the above-captioned court located at 101 Maple Street, Auburn, California 95603, the Honorable Michael Jones presiding, Daniel Marden, on behalf of himself and the Putative Class, will move this Court for an Order Granting Final Approval of Class Action Settlement and Entering Judgment as set forth in the Class and PAGA Settlement Agreement and Release (“Agreement”), filed on April 6, 2023. 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 \$248,562.50 and reimbursement of their litigation costs of \$13,540.00;
4. Approve and direct the Class Representative Service Payment of \$10,000.00 to Plaintiff Daniel Marden;
5. Approve and direct payment to Atticus Administration, LLC, the appointed Settlement Administrator, of \$60,000.00 for its fees and costs in administering the Settlement;
6. Approve and direct the PAGA Payment to California’s Labor and Workforce Development Agency of \$22,500.00 (75% of \$30,000.00);
7. Approve and direct the PAGA Payment to the PAGA Employees of \$7,500.00 (25% of \$30,000.00);

The Parties have met and conferred regarding the necessity of this motion. See Declaration of Jeff Geraci, (“Geraci Decl.”), ¶55. Local Rule 20.2.1.

The court will issue a tentative ruling for this matter on the court day before the hearing. The tentative ruling will be available after 12:00 noon as an audio recording accessible at (916) 408-6480; the tentative ruling will also be available at the court’s website, www.placer.courts.ca.gov. Local Rule 20.2.3. The tentative ruling shall become the final ruling and no hearing will be held unless oral argument is timely requested or the tentative ruling indicates otherwise. Requests for oral argument must be made by calling (916) 408-6481 no later than 4:00 p.m. on the court day prior to the hearing.

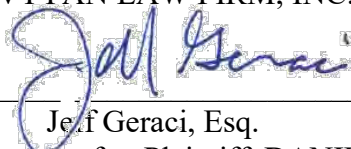
1 This motion is made on the grounds that the proposed Settlement, preliminarily
2 approved by this Court on May 4, 2023, is the product of arms'-length, good-faith negotiations,
3 is fair and reasonable to the Class, and should now be finally approved, as more fully discussed
4 in the accompanying Memorandum in Support of Final Approval of Class Action Settlement
5 and Entering Final Judgment.

6 This motion is based on this Notice of Motion, the Memorandum of Points and
7 Authorities in Support, Declarations of Class Counsel Jeff Geraci and Emil Davtyan,
8 Declaration of Plaintiff Daniel Marden filed April 6, 2023, Declaration of Bryn Bridley on
9 behalf of Atticus Administration, LLC, the Agreement, the Notice of Class Action Settlement,
10 the Law and Motion Minute Order Granting Preliminary Approval of Class Action Settlement
11 the [Proposed] Order Granting Final Approval of Class Action Settlement and Entering
12 Judgment, the Court's files in this matter, including, but not limited to, the Motion for
13 Preliminary Approval of Class Action Settlement, and any other documents or evidence the
14 Court may consider at the hearing.

15 Respectfully submitted,

16 COHELAN KHOURY & SINGER
17 DAVTYAN LAW FIRM, INC.

18 Dated: September 8, 2023

19 By:  _____

20 Jeff Geraci, Esq.

21 Attorneys for Plaintiff DANIEL MARDEN, on
22 behalf of himself and all other similarly-situated
23 and aggrieved employees
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