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10 Attorneys for Plaintiff LARRY PEREZ,  
11 on behalf of himself, all others similarly situated,  
12 and on behalf of the general public

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
14 **IN AND FOR THE COUNTY OF ORANGE**

15 LARRY PEREZ on behalf of himself, all  
16 others similarly situated, and on behalf of  
17 the general public,

18 Plaintiffs,

19 v.

20 THE NIELSEN COMPANY (US), LLC;  
21 and DOES 1-100,

22 Defendants.

Case No. 30-2021-01194324-CU-OE-CXC

*[Assigned for All Purposes to the  
Honorable Peter Wilson, CX-102]*

**SUPPLEMENTAL BRIEF IN SUPPORT OF  
PLAINTIFF LARRY PEREZ'S MOTION  
FOR PRELIMINARY APPROVAL OF  
CLASS AND PAGA ACTION  
SETTLEMENT, CONDITIONAL  
CERTIFICATION, APPROVAL OF CLASS  
NOTICE, SETTING OF FINAL APPROVAL  
HEARING DATE**

Date: August 18, 2022

Time: 2:00 p.m.

Date File: April 8, 2021

Trial Date: None Set

1 Plaintiff Larry Perez (hereinafter “Plaintiff”) hereby submits this supplemental brief in  
2 support of his Motion for Preliminary Approval of Class and PAGA Action Settlement;  
3 Conditional Certification; Approval of Class Notice; and Setting of Final Approval Hearing Date  
4 (hereinafter referred to as the “Motion for Preliminary Approval”).

## 5 **I. INTRODUCTION**

6 On July 13, 2022, the Court issued a tentative ruling on Plaintiff’s Motion for Preliminary  
7 Approval and asked for supplemental briefing. As will be addressed herein, the Parties have made  
8 all of the changes requested by the Court. As such, Plaintiff respectfully requests that the Court  
9 grant his Motion for Preliminary Approval.

## 10 **II. DISCUSSION**

### 11 **A. Addendum to the Settlement Agreement**

12 Based upon the Court’s comments in its tentative ruling, the Parties have entered into an  
13 Addendum to Joint Stipulation and Settlement Agreement (referred to herein as “Addendum”).  
14 Attached to the Declaration of David Mara, Esq. (“Mara Dec.”) as Exhibit A is the Parties’  
15 Addendum with the revisions to the prior settlement terms in redline. As evidenced in the  
16 Addendum, the Parties made revisions to the Class Notice, Request for Exclusion Form, and  
17 Formal Objection Form. Redlined copies of these documents are attached to the Mara Dec. as  
18 Exhibits B, C, and D. An executed copy of the Addendum which includes the revised Class Notice,  
19 Request for Exclusion Form, and Formal Objection Form is attached to the Mara Dec. as Exhibit  
20 G.

### 21 **B. Proposed Order**

22 The Parties also made revisions to the proposed order granting Plaintiff’s Motion for  
23 Preliminary Approval. A redlined version of the proposed order is attached to the Mara Dec. as  
24 Exhibit E. The revised proposed order is also being filed in conjunction with this supplemental  
25 brief.

### 26 **C. The Parties Have No Affiliation with or Interest in Legal Aid at Work**

27 As reflected in the declarations filed herewith, the Parties do not have an affiliation with or  
28 interest in Legal Aid at Work. (*See* Mara Dec. ¶ 2, *see also* declaration from Defendant).

1                   **D. Proposed Administration Costs**

2                   The settlement administrator has provided an updated bid that includes a website and takes  
3 out all translation services, as a translation is not necessary in this case. The revised administration  
4 quote is attached to the Mara Dec. as Exhibit F.

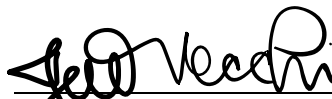
5                   The settlement agreement proposes that the administration costs *will not exceed* \$20,000.  
6 This allows room above Phoenix's quote for any unexpected costs that may arise during the  
7 administration process. In addition, pursuant to the settlement agreement, the difference between  
8 the amount allocated in the settlement agreement and the costs actually incurred will be added to  
9 the Net Settlement Amount for distribution to Participating Class Members. (*See Joint Stipulation*  
10 *and Settlement Agreement at Section III, Paragraph 57(D)*). Therefore, if the Court preliminarily  
11 approves of administration costs not to exceed \$20,000 and the administration costs remain at  
12 \$8,500, the Parties will only seek approval of \$8,500 at final approval. The difference will then be  
13 added to the Net Settlement Amount for distribution to Participating Class Members.

14                   **III. CONCLUSION**

15                   Based on the foregoing, Plaintiff respectfully requests that the Court grant preliminary  
16 approval of the Parties' settlement. When Plaintiff files his motion for final approval he will  
17 present a full report to the Court on all exclusions, objections and disputes received. Plaintiff will  
18 also provide billing records in support of Class Counsel's fees and documentation of its  
19 costs. Further, Plaintiff's counsel will confirm that they do not have any fee-splitting arrangement  
20 with any other counsel.

21 Dated: August 2, 2022

MARA LAW FIRM, PC

23   
24 David Mara, Esq.  
Jill Vecchi, Esq.

25 Attorneys for Plaintiff LARRY PEREZ on behalf of  
26 himself, all others similarly situated, and on behalf of  
27 the general public  
28

**Case Name:** Larry Perez v. The Nielsen Company (US), LLC  
**Court:** Superior Court of Orange County  
**Case Number:** 30-2021-01194324-CU-OE-CXC

**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

I am employed in the County of: San Diego, State of California.

I am over the age of 18 and not a party to the within action; my business address is:  
2650 Camino Del Rio N. Suite 205, San Diego, CA 92108

On August 2, 2022, I served the foregoing document(s) described as:

**SUPPLEMENTAL BRIEF IN SUPPORT OF PLAINTIFF LARRY PEREZ'S MOTION FOR PRELIMINARY APPROVAL OF CLASS AND PAGA ACTION SETTLEMENT, CONDITIONAL CERTIFICATION, APPROVAL OF CLASS NOTICE, SETTING OF FINAL APPROVAL HEARING DATE**

**DECLARATION OF DAVID MARA, ESQ., IN SUPPORT OF PLAINTIFF LARRY PEREZ'S SUPPLEMENTAL BRIEF**

**[PROPOSED] ORDER GRANTING PLAINTIFF LARRY PEREZ'S MOTION FOR PRELIMINARY APPROVAL OF CLASS AND PAGA ACTION SETTLEMENT, CONDITIONAL CERTIFICATION, APPROVAL OF CLASS NOTICE, SETTING OF FINAL APPROVAL HEARING DATE**

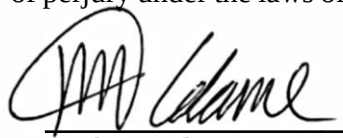
On interested parties in this action:

Brian P. Long  
**Seyfarth Shaw LLP**  
601 South Figueroa Street, Suite 3300  
Los Angeles, CA 90017-5793  
Email: [BPLong@seyfarth.com](mailto:BPLong@seyfarth.com)

**[XX] (BY E-MAIL)** On August 2, 2022, I caused the documents to be sent to the persons at the electronic notification addresses of the parties named above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

**[XX] (DECLARATION)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Dated: August 2, 2022

  
Mathew Adame