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5 Attorneys for Plaintiff RAYMUNDO VALLES
individually and on behalf of similarly situated employees
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8 **SUPERIOR COURT OF CALIFORNIA**
9 **FOR THE COUNTY OF CALAVERAS**
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11 RAYMUNDO VALLES, individually and on
behalf of all other similarly situated
12 employees,

13 Plaintiff,

14 vs.
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16 TRICORP GROUP, INC., a California
Corporation; and DOES 1 to 100, inclusive,

17 Defendant.
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Case No. 21CV45611

CLASS ACTION

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

Date: September 9, 2022

Time: 9:00 a.m.

Dept.: 2

Judge: Hon. David Sanders

Filed: September 16, 2021

Trial Date: None Set

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that on September 9, 2022, at 9:00 a.m., or as soon thereafter as the
3 matter may be heard in Department 2 of the above-entitled Court, Plaintiff Raymundo Valles,
4 individually and on behalf of all other similarly situated individuals, will move, and hereby does move,
5 for entry of an Order for the following:

- 6 1. Certifying the proposed class herein for purposes of settlement;
- 7 2. Appointing Plaintiff Raymundo Valles as class representative for purposes of settlement;
- 8 3. Appointing Shimoda & Rodriguez Law, PC, as Class Counsel for purposes of settlement;
- 9 4. Approving the proposed class action and Private Attorneys General Act settlement, including
10 the Maximum Settlement Amount of \$170,000.00, which is incorporated herein by reference;
- 11 5. Approving the application for payment to Class Counsel of attorneys' fees in the amount of
12 \$59,500.00 (35% of the Maximum Settlement Amount);
- 13 6. Approving the application for payment to Class Counsel of reasonable costs in the amount of
14 \$2,756.04;
- 15 7. Approving the Class Representative Enhancement Award of \$7,500.00 to Plaintiff
16 Raymundo Valles;
- 17 8. Approving the appointment of Simpluris, Inc. as the Claims Administrator and for payment
18 to Simpluris, Inc. for administering said class action settlement in the amount of \$6,500.00;
- 19 9. Approving the settlement of claims under the Private Attorneys General Act for the total
20 amount of \$20,000.00, 75% of which will be paid to the Labor and Workforce Development
21 Agency and 25% of which will be added to the Net Settlement Amount for distribution to all
22 Class Members;
- 23 10. Determining that the class notification procedures and process complied with class members'
24 due process rights;
- 25 11. Directing that any residue from settlement checks that were not cashed by the check cashing
26 deadline be donated 50/50 to Koinonia Family Services, a non-profit 501(c)(3) organization
27 with child advocacy programs in the state of California, and to Capital Pro Bono, Inc. as cy
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1 *pres* recipients, subject to Court approval under the doctrine of *cy pres* and as specifically
2 provided for in California Civil Procedure Code section 384(a); and

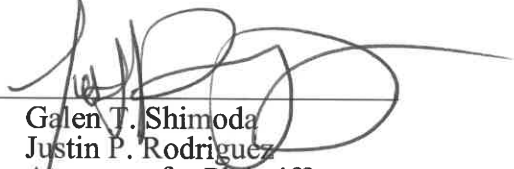
3 12. Approving and adopting the Proposed Order and its implementation schedule, which is filed
4 herewith and incorporated by reference.

5 This motion is being made pursuant to Code of Civil Procedure section 382, Labor Code section
6 2699(l), and California Rules of Court 3.764 and 3.769, on the grounds that the proposed class action
7 and Private Attorneys General Act settlement is fair, reasonable, and adequate as to all class members
8 and should be given final approval by the Court. This motion will be based on the notice of motion,
9 memorandum of points and authorities, the Declaration of Galen T. Shimoda, the Declaration of
10 Raymundo Valles, The Declaration of Lindsay Kline, exhibits, the record and files of this case, and any
11 further oral or documentary evidence introduced at the hearing of this motion.

12 **Pursuant to Local Rule 3.3.7, the Court will make a tentative ruling on the merits of this matter by**
13 **2:00 p.m. the court day before the hearing. The complete text of the tentative ruling may be**
14 **accessed on the Court's website or by calling 209-754-6285 and listening to the recorded tentative**
15 **ruling. If you do not call all other parties and the Court by 4:00 p.m. the court day preceding the**
16 **hearing, no hearing will be held and the tentative ruling shall become the ruling of the court.**

17 Dated: August 3, 2022

Shimoda & Rodriguez Law, PC

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19 By: 

Galen T. Shimoda
Justin P. Rodriguez
Attorneys for Plaintiff