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10 **Attorneys for Plaintiffs LEILANI KRYZHANOVSKIY and PATRICIA SALAZAR,**
11 **individually, on behalf of all others similarly situated, and as a proxy for the LWDA**

12 **UNITED STATES DISTRICT COURT**

13 **EASTERN DISTRICT OF CALIFORNIA**

14 **LEILANI KRYZHANOVSKIY, PATRICIA**
15 **SALAZAR ,individually, on behalf of all others**
16 **similarly situated, and as a proxy for the LWDA;**

17 **Plaintiff,**

18 **v.**

19 **AMAZON.COM SERICES, INC., a Delaware**
20 **corporation; AMAZON.COM SERVICES, LLC,**
21 **a Delaware limited liability company; and DOES**
22 **1-100, inclusive,**

23 **Defendants.**

24 **Case No.: 2:21-cv-01292-BAM**

25 **NOTICE OF PLAINTIFFS' UNOPPOSED**
26 **MOTION FOR PRELIMINARY**
27 **APPROVAL OF CLASS ACTION**
28 **SETTLEMENT**

Date: January 26, 2024

Time: 9:00 a.m.

Location: Courtroom 8, 6th Floor

Judge: Hon. Barbara A. McAuliffe

29 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

30 PLEASE TAKE NOTICE that, on January 26, 2024 at 9:00 a.m., or as soon thereafter as
31 counsel may be heard, Plaintiffs Leilani Kryzhanovskiy and Patricia Salazar (collectively,
32 "Plaintiffs") will bring on for hearing before the Honorable United States Magistrate Judge Barbara
33 A. McAuliffe, in Courtroom 8, 6th Floor, Robert E. Coyle United States Courthouse, 2500 Tulare
34 Street, Fresno, CA 93721, this unopposed Motion for Preliminary Approval of Class Action
35 Settlement (the "Motion"). The Motion respectfully requests the Court grant:

- 36 1. Preliminary certification of the Class described in the proposed Class Action Settlement
37 Agreement and Release ("Settlement"), defined as follows:
38

a. All current and former non-exempt employees of Defendants in California between July 22, 2017 and November 7, 2023 who received a Signing and/or On Sign Bonus in the same workweek as he/she worked overtime, including doubletime (the “Class”);

2. Preliminary approval of Plaintiffs Leilani Kryzhanvoskiy and Patricia Salazar as Class Representative;
3. Preliminary approval of Mayall Hurley P.C., by and through Lead Counsel Robert J. Wasserman and Jenny D. Baysinger, and the Law Offices of Mark S. Adams, by and through Mark S. Adams, as Class Counsel;
4. Preliminary approval of the Settlement, finding it to be fair, reasonable, adequate, and in the collective best interest of the Class;
5. Approval as to the form and content of the proposed Class Notice, a copy of which is attached as Exhibit A to the Settlement Agreement;
6. Approval as to the method of notice described in the Settlement;
7. Authorization for dissemination of the Class Notice pursuant to the terms of the Settlement;
8. An order appointing and approving Atticus Class Action Administration as Claims Administrator, and for preliminary approval of the costs of administration of the Qualified Settlement Fund for an amount, as declared, not to exceed \$25,000;
9. Preliminary approval of the proposed PAGA Payment and payment to the LWDA;
10. Preliminary approval of Class Representative Enhancement Payments in the amount of \$10,000 to Plaintiff Kryzhanovskiy and \$7,500 to Plaintiff Patricia Salzar in consideration for their respective contributions as Class Representatives;
11. Preliminary approval of attorneys’ fees in an amount not to exceed one-third of the Gross Settlement Fund, presently \$1,000,000, to be distributed 90% to Mayall Hurley, P.C. and 10% to the Law Offices of Mark S. Adams, and declared costs of up to \$30,000;

12. An Order of Preliminary Approval containing a schedule for the implementation of the terms of the Settlement, including deadlines for the mailing the notice, the filing of opt-outs or objections, and the filing of papers in connection with the Final Approval Hearing, specifically including a contemplated motion for final approval and separate motion for attorneys, fees, costs, and enhancement payments, to be heard on the same date; and
13. An order setting the Final Approval Hearing for the Court to consider final approval of the Settlement and its terms, as well as a contemplated separate motion for an award of attorneys' fees and costs for Class Counsel, and the Enhancement Payments for Plaintiffs.

This Motion is based on the Notice of Motion; the Memorandum of Points and Authorities; the accompanying Declaration of Jenny D. Baysinger, with exhibits (including the Settlement Agreement attached as Exhibit 1); the pleadings, orders, and other papers on file in this matter; and any further evidence and arguments as may be presented at the hearing of this matter.

DATED: December 18, 2023

MAYALL HURLEY P.C.

By /s/ Jenny D. Baysinger
JENNY D. BAYSINGER
Attorneys for Plaintiffs and the Putative Class