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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

Dorcas-Cothy Kabasele, Katia Arrellano, Angel Gonzalez, Mindy Miranda, Saryna De Jesus, Tatiana Brenal, Flor Cruz, Julissa Perez, Elissa Padilla, Ian Lamar, Claudia Benitez, Brittney Hughes, George Maddox, Victoria Henkes, Allexandra Tan, Danielle Quaid, Elizabeth Faaborg, Vincent Hall, Jerrica Labian, Lauren Hall, Ryan Guffey, Kiersten Wong, Brittani Herena, Janet Sanchez, Brittany Sommers, Cheyenne Lopez, Talia Casteneda, Nohely Llamas, Rhonda Prickett, Debbie Harrison,

Plaintiffs,

vs.

ULTA SALON, COSMETICS & FRAGRANCE, INC., a Delaware corporation and DOES 1 – 100, inclusive,

Defendants.

Case No. 2:21-cv-01639-WBS-CKD

**NOTICE OF MOTION AND UNOPPOSED  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Date: March 6, 2023

Time: 1:30 p.m.

Dept.: Courtrooms 5, 14<sup>th</sup> Floor

Judge: Hon. William B. Shubb

Complaint Filed: September 10, 2021

FAC Filed: September 29, 2021

SAC Filed: November 23, 2022

TAC Filed: February 15, 2022

Trial Date: None Set

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

**PLEASE TAKE NOTICE** that on March 6, 2023 at 1:30 a.m., thereafter as the matter may be heard, in Courtroom 5 of the United States District Court for the Eastern District of California before the Honorable Judge William B. Shubb, pursuant to Fed. R. Civ. P. 23(e), Plaintiffs Dorcas-Cothy Kabasele, Katia Arrellano, Angel Gonzalez, Mindy Miranda, Saryna De Jesus, Tatiana Brenal, Flor Cruz, Julissa Perez, Elissa Padilla, Ian Lamar, Claudia Benitez, Brittney Hughes, George Maddox, Victoria Henkes, Allexandra Tan, Danielle Quaid, Elizabeth Faaborg, Vincent Hall, Jerrica Labian, Lauren Hall, Ryan Guffey, Kiersten Wong, Brittani Herena, Janet Sanchez, Brittany Sommers, Cheyenne Lopez, Talia Casteneda, Nohely Llamas, Rhonda Prickett, Debbie Harrison, (collectively “Plaintiffs”), individually and on behalf of all others similarly situated, will and do hereby move this Court for entry of an Order:

1. Preliminarily approving the class action settlement between Plaintiffs and Defendant, ULTA Salon, Cosmetics & Fragrance, Inc. as fair, adequate, and reasonable, based upon the terms set forth in the Parties’ Class and Representative Action Settlement Agreement and Release, including payment by Defendant of the Gross Settlement Amount of \$1,500,000 for the settlement “Class”;
2. Preliminarily appointing Plaintiffs as Class Representatives for purposes of settlement;
3. Preliminarily appointing Mayall Hurley, P.C., SW Employment Law Group, APC, and Lavi & Ebrahimian, LLP as Class Counsel for purposes of settlement;
4. Preliminarily approving Simpluris, Inc. as the third-party Settlement Administrator for mailing notices and for Settlement Administration, and approving expenses estimated at \$65,000;
5. Preliminarily approving an Incentive Award of \$5,000 for lead Plaintiffs, Dorcas-Cothy Kabasele, Katia Arellano, Angel Gonzalez and \$500 for each remaining Plaintiff (for a combined amount of \$28,500);
6. Preliminarily approving Plaintiffs’ Counsels’ request for up to 33.33% of the GSA as attorneys’ fees (or \$500,000) and actual litigation costs of not more than \$20,000;
7. Preliminarily approving the PAGA penalty payment of \$50,000 of which 75% (or \$38,000)

1 shall be paid to the LWDA, and the remaining 25% (or \$12,000), shall be included in the  
2 Net Settlement Amount distribution to the Class;

3 8. Authorizing the filling of the proposed Fourth Amended Complaint; and

4 9. Approving the proposed Class Notice and ordering its dissemination.

5 This motion is based upon the supporting Memorandum of Points and Authorities, the  
6 Declarations of Robert J. Wassermann, Esq., and Shawn Sasooness, Esq., the Settlement Agreement,  
7 the Class Notice, all other papers and exhibits filed herewith and in the Court's record in this matter,  
8 and such oral and documentary evidence as may be presented at or before the hearing on this matter.

9 Respectfully submitted,

10 Mayall Hurley, PC  
11 SW Employment Law Group, APC  
12 Lavi & Ebrahimian LLP

13 Dated: January 20, 2023

14 By: /s/ Robert J. Wassermann  
15 Robert J. Wasserman, Esq.  
16 Attorneys for Plaintiffs  
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