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7 Attorneys for Plaintiffs RALPH GRAY, JR.; DAVID JARRELL;
ROBERT MILLEMAN; ORVILLE OSBORNE; JEFFREY
8 SNYDER; and DENNIS SPOHR, INC. and the certified classes

9
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 FOR THE COUNTY OF SONOMA

12 RALPH GRAY, JR.; DAVID JARRELL;
ROBERT MILLEMAN; ORVILLE
13 OSBORNE; JEFFREY SNYDER; and
DENNIS SPOHR on behalf of themselves
14 and other similarly situated,

15 Plaintiffs,

16 v.

17 HANSEL FORD, INC.,

18 Defendant.

CASE NO.: SCV258850

*Assigned for all purposes to the
Honorable Patrick Broderick, Dept. 16*

**PLAINTIFFS' NOTICE OF MOTION AND
UNOPPOSED MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

*[Memorandum of Points of Authorities;
Declaration of Tim Cunningham; and Proposed
Order filed concurrently herewith]*

19 Date: December 15, 2021
20 Time: 3:00 pm
Dept: 16

21 TAC Filed: October 14, 2016
SAC Filed: September 21, 2016
22 FAC Filed: October 18, 2021
Complaint Filed: May 24, 2016
23 Trial Date: None

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD

2 PLEASE TAKE NOTICE that on December 15, 2021 at 3:00 p.m. or as soon as the
3 matter be heard before the Hon. Patrick Broderick in Department 16 of the Sonoma County
4 Superior Court, located at 3055 Cleveland Avenue, Santa Rosa, California 95403, Plaintiffs
5 Ralph Gray, Jr.; David Jarrell; Robert Milleman; Orville Osborne; Jeffrey Snyder; and Dennis
6 Spohr ("Plaintiffs") will and hereby move for an order granting final approval of:

- 7 1. The Joint Stipulation of Class and PAGA Settlement on the grounds that the Gross
8 Settlement Amount of \$1,350,000.00 is fair, adequate, and reasonable because:
 - 9 a. A Net Settlement of approximately \$880,423.57 will be fully distributed to
10 the Settlement Class Members who did not timely opt out of the Settlement
11 ("Participating Class Members");
 - 12 b. **No Objections** were submitted to the Class Action Claims Administrator,
13 CPT Group, Inc. ("Claims Administrator" or "CPT Group");
- 14 2. Payment in the amount of \$388,253.00 to Weinberg, Roger & Rosenfeld ("Class
15 Counsel"), which is reasonable and justified on a percentage-basis;
- 16 3. Payment in the amount of \$55,823.43 to Class Counsel for reimbursement of
17 litigation costs and expenses;
- 18 4. Payment in the amount of \$7,500.00 to the Claims Administrator, CPT Group for
19 Administration Costs; and
- 20 5. Payments in the amount of \$3,000.00 each to Plaintiffs Ralph Gray, Jr.; David
21 Jarrell; Robert Milleman; Orville Osborne; Jeffrey Snyder; and Dennis Spohr, as
22 Enhancement Payment, for their time and effort in representing the Settlement Class
23 Members.
- 24 6. Allocation of the penalties under the Private Attorneys General Act of 2004,
25 California Labor Code § 2698, *et seq.*, in the amount of \$2,500.00, which is 25% of
26 \$10,000.00. Of the \$10,000.00 allocated to penalties, Hansel Ford, Inc. shall
27 separately remit \$7,500.00 to the Claims Administrator at the same time that it
28 remits the Gross Settlement amount, upon which the Claims Administrator will

1 remit to the California Labor & Workforce Development Agency (“LWDA”) The
2 remaining \$2,500.00 will be part of the Net Settlement Amount for Distribution to
3 Participating Class Members.

4 This Motion is made pursuant to Rule 3.769 and Rule 3.11 13(e) of the California Rules
5 of Court, which require approval by the Court of class action settlement and permit the Court to
6 extend the page limit for memoranda.

7 This motion is based upon the following Memorandum of Points and Authorities in
8 Support of Unopposed Motion for Final Approval of Class Action Settlement, the Declaration
9 of Claims Administrator (Tim Cunningham) in support thereof; the concurrently filed
10 Memorandum of Points and Authorities in Support of Motion for Approval of Attorneys’ Fees,
11 Litigation Costs, and Class Representative Enhancements and the Declaration of Class Counsel
12 (Caren Sencer) and its exhibits in support thereof; and the pleadings and other records on file
13 with the Court in this matter; and such evidence and oral argument as may be presented at the
14 hearing on this Motion.

15 DATED: November 19, 2021

WEINBERG, ROGER & ROSENFELD

16
17 By:


18 DAVID A. ROSENFELD
CAREN P. SENCER

19 Attorneys for Plaintiffs
20 RALPH GRAY, JR.; DAVID JARRELL;
21 ROBERT MILLEMAN; ORVILLE
22 OSBORNE; JEFFREY SNYDER; and
23 DENNIS SPOHR, INC. and the certified
24 classes

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1 **PROOF OF SERVICE (CCP §1013)**

2 I am a citizen of the United States and resident of the State of California. I am
3 employed in the County of Alameda, State of California, in the office of a member of the bar
4 of this Court, at whose direction the service was made. I am over the age of eighteen years and
5 not a party to the within action.

6 On November 19, 2021, I served the following documents in the manner described
7 below:

8 **PLAINTIFFS' NOTICE OF MOTION AND UNOPPOSED MOTION FOR FINAL**
9 **APPROVAL OF CLASS ACTION SETTLEMENT**

- 10 ☒ (BY U.S. MAIL) I am personally and readily familiar with the business practice of
11 Weinberg, Roger & Rosenfeld for collection and processing of correspondence for
12 mailing with the United States Postal Service, and I caused such envelope(s) with
13 postage thereon fully prepaid to be placed in the United States Postal Service at
14 Emeryville, California.
- 15 ☒ (BY ELECTRONIC SERVICE) By electronically mailing a true and correct copy
16 through Weinberg, Roger & Rosenfeld's electronic mail system from
17 hwebb@unioncounsel.net to the email addresses set forth below.

18 On the following part(ies) in this action:

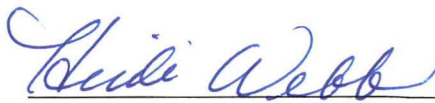
19 Mr. Karl R. Lindegren
20 Fisher & Phillips LLP
21 2050 Main Street, Ste. 1000
22 Irvine, CA 92614
23 E-Mail: klindegren@fisherphillips.com
24 cahearn@fisherphillips.com

25 *ATTORNEYS FOR DEFENDANT*

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ATTORNEYS FOR DEFENDANT

26 I declare under penalty of perjury under the laws of the United States of America that
27 the foregoing is true and correct. Executed on November 19, 2021, at Emeryville, California.

28 
Heidi Webb