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Attorneys for Plaintiffs PRISCILLA AGUILAR, JULIAN HARO, JUAN MADERA, and
RICHARD NUNEZ on behalf of themselves and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

PRISCILLA AGUILAR, JULIAN HARO,
JUAN MADERA, and RICHARD NUNEZ, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

OWENS-BROCKWAY GLASS
CONTAINER, INC., a Delaware Corporation,
and DOES 1-50, inclusive,

Defendant.

Case No. 21STCV33017

Assigned for All Purposes:
Hon. Yvette M. Palazuelos

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION FOR FINAL APPROVAL
OF CLASS ACTION AND PAGA
SETTLEMENT AND AWARD OF
ATTORNEYS' FEES, COSTS, AND
CLASS REPRESENTATIVE SERVICE
AWARD**

Hearing Information

Date: September 12, 2024
Time: 10:00 a.m.
Dept: 9

Complaint Filed: September 8, 2021
Trial Date: None set

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

PLEASE TAKE NOTICE that on September 12, 2024 at 10:00 a.m. in Department 9 of the Superior Court of California, County of Los Angeles, located at 312 North Spring Street Los Angeles, CA 90012, Plaintiffs Priscilla Aguilar, Julian Haro, Juan Madera, and Richard Nunez (“Plaintiffs”) will, and hereby moves this Court for an order granting final approval of the Amended Stipulation of Class Action Settlement and Release of Claims (the “Settlement Agreement”) by and between Plaintiffs, on behalf of themselves and the conditionally certified Class, and Defendant Owens-Brockway Glass Container, Inc. (“Defendant”). Plaintiffs respectfully request that the Court (1) finally approve the settlement as fair, adequate, and reasonable; (2) certify the Class for settlement purposes; (3) approve the requested settlement administration expenses to the Settlement Administrator; and (4) enter final judgment substantially in the form of the proposed order submitted herewith.

The Settlement has been successfully administered, and good cause exists for granting the Motion and finding the Settlement and settlement administration expenses to be fair, reasonable, and appropriate.

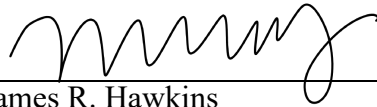
PLEASE TAKE FURTHER NOTICE that Plaintiffs will also and hereby do move this Court for an order awarding (a) Class Counsel’s attorneys’ fee in the amount of \$1,295,000 and litigation costs of \$24,074; and (b) an incentive payment in the amount of \$15,000.00 to each Plaintiff as the appointed Class Representatives.

This motion is brought pursuant to California Rule of Court 3.769 and California Code of Civil Procedure section 382, and is based on this Notice of Motion and Motion; the Memorandum of Points and Authorities in support of the Motion; the Declaration of James R. Hawkins; the Declaration of Plaintiffs Priscilla Aguilar, Julian Haro, Juan Madera, and Richard Nunez; the Declaration of Irvin Garcia on behalf of CPT Group, Inc.; the Proposed Order Granting Final Approval of Class Action Settlement and Entry of Judgment; all documents currently on file in this action including without limitation those submitted in support of

1 preliminary approval; the arguments of counsel; and such other and further evidence as the Court
2 may choose to entertain.

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4 Dated: June 18, 2024

JAMES HAWKINS APLC

5
6 By: 

7 James R. Hawkins
8 Christina M. Lucio
9 Mitchell J. Murray

10 Attorneys for Plaintiffs and the Conditionally
11 Certified Class
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PROOF OF SERVICE

I am a resident of the State of California, County of Orange. I am over the age of eighteen years and not a party to the within action. My business address is 9880 Research Drive., Suite 200, Irvine, California 92618.

On June 18, 2024, I served on the interested parties in this action the following document(s) entitled:

-[PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND ENTRY OF JUDGMENT

-DECLARATION OF IRVIN GARCIA ON BEHALF OF CPT GROUP, INC. REGARDING SETTLEMENTADMINISTRATION AND NOTICE

-DECLARATION OF JULIAN HARO IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS AND PAGA ACTION SETTLEMENT AND AWARD OF ATTORNEYS' FEES, COSTS, AND CLASS REPRESENTATIVE SERVICE AWARD

-DECLARATION OF JAMES R. HAWKINS IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION AND ACTION SETTLEMENT AND AWARD OF ATTORNEYS' FEES, COSTS, AND CLASS REPRESENTATIVE INCENTIVE PAYMENT

-MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND AWARD OF ATTORNEYS' FEES, COSTS, AND CLASS REPRESENTATIVE INCENTIVE PAYMENT

-PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND AWARD OF ATTORNEYS' FEES, COSTS, AND CLASS REPRESENTATIVE SERVICE AWARD

-DECLARATION OF RICHARD NUNEZ IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS AND PAGA ACTION SETTLEMENT AND AWARD OF ATTORNEYS' FEES, COSTS, AND CLASS REPRESENTATIVE SERVICE AWARD

[XX] BY ELECTRONIC SERVICE: Based on a court Order or an agreement by the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from the email address irma@jameshawkinsaplc.com to the persons at the e-mail addresses listed in the Service List below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

SEE SERVICE LIST BELOW

[X] STATE: I declare under penalty of perjury, under the laws of the State of California, that the above is true and correct.

Executed on June 18, 2024, at Irvine, California.

Irma Ceja

SERVICE LIST

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