

1 JAMIE SERB (SBN 289601)
jamie@crosnerlegal.com
2 NIKKI TRENNER (SBN 316007)
nikki@crosnerlegal.com
3 ZACHARY M. CROSNER (SBN 272295)
zach@crosnerlegal.com
4 **CROSNER LEGAL, PC**
5 9440 Santa Monica Blvd. Suite 301
6 Beverly Hills, CA 90210
Tel: (866) 276-7637
7 Fax: (310) 510-6429

8 Attorneys for Plaintiff FRANCISCO CERVANTES

9
10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF RIVERSIDE**
12

13 FRANCISCO CERVANTES, as an
14 individual and on behalf of all others
15 similarly situated,

16 Plaintiff,

17 v.

18 ALPHA MATERIALS, INC., a California
19 corporation; and DOES 1-100, inclusive,

20 Defendants.
21
22
23
24

Case No.: Case No.: CVRI2201967

Assigned for All Purposes to:
Hon. Harold Hopp
Dept. 1

NOTICE OF MOTION AND MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT

**[Filed Concurrently with Memorandum of
Points & Authorities; Declarations of Nikki
Trenner, Francisco Cervantes, and Jarrod
Salinas; [Proposed] Order]**

Date: July 25, 2024
Time: 8:30 a.m.
Dept.: 1

1 TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT on July 25, 2024, at 8:30 a.m., or as soon thereafter as
3 the matter may be heard, in Department 1 of the above-entitled Court, located at 4050 Main Street,
4 Riverside, California, Plaintiff Francisco Cervantes, on behalf of himself and the conditionally
5 certified settlement class, will and hereby does move the Court for an order granting final approval
6 of the proposed class action settlement, approving the payment of civil penalties, approving the
7 class representative service payment provided for the class action settlement, and approving
8 payment of the Settlement Administrator's fees and expenses. Plaintiff also will and hereby does
9 move the Court for an order granting an award of attorney's fees in the amount of \$98,333.33 (1/3
10 of the gross settlement amount) and costs in the amount of \$10,846.56, as provided in the
11 proposed class action settlement.

12 This motion is brought under California Rule of Court 3.769, on the grounds that the
13 settlement is fair, reasonable and adequate and in the best interests of the class, and meets all
14 requirements for class certification. The requested class representative service payment is fair and
15 reasonable under the circumstances of the case. The requested attorney's fees and costs are fair
16 and reasonable under the circumstances of the case.

17 The motion will be based upon this notice of motion and motion, the accompanying
18 memorandum of points and authorities, declarations of Nikki Trenner, Francisco Cervantes, and
19 Jarrod Salinas, the Settlement Agreement, the Court's entire file herein, and on such other
20 argument and evidence as the Court may entertain at the hearing on this motion.

21
22 Dated: July 1, 2024

CROSNER LEGAL, PC

23
24
25 By:  _____

Zachary M. Crosner, Esq.

Jamie K. Serb, Esq.

Nikki Trenner, Esq.

Attorneys for Plaintiff Francisco Cervantes