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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **IN AND FOR THE COUNTY OF SAN MATEO**

15 CHAMARIE SPEARS, an individual, and
16 KATHLEEN LEONARD, an individual
17 on behalf of herself and on behalf of all
18 persons similarly situated,

19 Plaintiffs,

20 vs.

21 VITALANT, a Corporation; and DOES 1
22 through 50, inclusive,

23 Defendants.

CASE No. **22-CIV-03291**

**NOTICE OF MOTION AND MOTION
FOR FINAL APPROVAL OF CLASS
SETTLEMENT AND AWARD OF
ATTORNEYS' FEES, COSTS AND
SERVICE AWARDS**

Hearing Date: July 25, 2024

Hearing Time: 9:00 a.m.

[Hearing scheduled by Order dated March 22,
2024]

Judge: Hon. Susan L. Greenberg

Dept.: 3

Action Filed: September 27, 2022

Trial Date: Not set

1 **TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 YOU ARE HEREBY NOTIFIED THAT at 9:00 a.m. on July 25, 2024, or as soon
3 thereafter as the matter can be heard Department 3 at the above-entitled Court before the
4 Honorable Susan L. Greenberg, Plaintiffs ChaMarie Spears and Kathleen Leonard (“Plaintiffs”)
5 will move for an order granting (1) Final Approval of the Class Action Settlement, including
6 approval of the attorneys’ fees, costs and service awards, and (2) Entry of the Final Approval
7 Order and the Judgment.

8 This motion is brought in accordance with the Order dated March 22, 2024, and
9 California Rules of Court, rule 3.769. This Motion will be based on this notice, the
10 accompanying points and authorities, the Declaration of Norman Blumenthal, the Class Action
11 and PAGA Settlement Agreement (the “Agreement”), the Declaration of Nicole Bench (the
12 Administrator), the Declarations of Plaintiffs Spears and Leonard, and the complete files and
13 records in this action.

14 Because Plaintiffs and Defendant Vitalant (“Defendant”) have agreed to the proposed
15 class settlement and have met and conferred regarding the motion, this motion is not opposed.
16 There have been no objections submitted by the Class.

17 Respectfully submitted,

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19 Dated: July 1, 2024

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

By: /s/ Kyle Nordrehaug
Kyle R. Nordrehaug, Esq.
Attorneys for Plaintiffs