

James R. Hawkins (SBN 192925)
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Attorneys for Plaintiff BRAULIO JAVIER,
on behalf of himself and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF FRESNO

BRAULIO JAVIER, individually and on
behalf of himself and all others similarly
situated,

Plaintiff,

v.

HELENA AGRI-ENTERPRISES, LLC a
Delaware Limited Liability Company;
HELENA CHEMICAL COMPANY, a
Delaware Corporation; and DOES 1-50,
inclusive,

Defendants.

Case No. 22CECG02269

[Consolidated with Case No. 22CECG03145]

CLASS AND REPRESENTATIVE ACTION

**PLAINTIFF'S NOTICE OF MOTION AND
MOTION FOR AWARD OF ATTORNEYS'
FEES AND COSTS, AND CLASS
REPRESENTATIVE SERVICE AWARD**

Date: November 5, 2024

Time: 3:27 p.m.

Dept.: 502

Judge: Hon. Kristi Culver Kapetan

Complaint Filed: July 27, 2022

FAC Filed: November 14, 2022

Trial Date: None Set

1 **TO THE HONORABLE COURT, DEFENDANTS, AND THEIR ATTORNEYS OF**
2 **RECORD:**

3 **PLEASE TAKE NOTICE THAT** on November 5, 2024 at 3:27 p.m., or as soon thereafter
4 as the matter may be heard, in Department 502 of the above-captioned court, located at the
5 Downtown Courthouse, located at 1100 Van Ness Avenue, Fresno, CA 93724-0002, before the
6 Honorable Kristi Culver Kapetan, Plaintiff Braulio Javier (“Plaintiff”), individually, and on behalf
7 of the members of the conditionally certified class and group of aggrieved employees he seeks to
8 represent, will and hereby do move this Court for an order awarding (a) Class Counsel’s attorneys’
9 fee of \$210,000.00 and actual litigation costs of \$18,483.64, and (b) a Class Representative Service
10 Award in the amount of \$10,000.

11 This motion is based on the Memorandum of Points and Authorities in support of the
12 Motion for Final Approval; the Memorandum of Points and Authorities in support of this Motion
13 for Attorneys’ Fees, Costs, and Class Representative Service Award; the Declaration of James R.
14 Hawkins in Support of Final Approval; as well as the Declaration of Plaintiff Braulio Javier in
15 Support of Final Approval; the Declaration of Nathalie Hernandez of Settlement Administrator
16 ILYM Group, Inc.; the Proposed Order Granting Final Approval of Class and Representative
17 Action Settlement and Judgement thereon; all documents currently on file in this action including
18 without limitation those submitted in support of the Motion for Preliminary Approval of Class and
19 Representative Action Settlement and Motion for Final Approval of Class and Representative
20 Action Settlement; the arguments of counsel; and such other and further evidence as the Court may
21 choose to entertain. This motion is set to be heard concurrently with Plaintiff’s Motion for Final
22 Approval of Class and Representative Action Settlement.

23
24 Dated: October 11, 2024

JAMES HAWKINS, APLC

25
26 By:



James R. Hawkins
Christina M. Lucio
Mitchell J. Murray
Attorneys for Plaintiff