

R. Rex Parris (SBN 96567)
Kitty K. Szeto (SBN 258136)
John M Bickford (SBN 280929)
Ryan A. Crist (SBN 316653)

PARRIS LAW FIRM

43364 10th Street West
Lancaster, California 93534
Telephone: (661) 949-2595
Facsimile: (661) 949-7524

Attorneys for Plaintiffs, the Certified Class,
and the Aggrieved Employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF KERN

ALFONSO GARIBAY HERNANDEZ, an
individual, and ERIK VALENZUELA, an
individual, for themselves and all members of the
certified class, and on behalf of aggrieved
employees pursuant to the Private Attorneys
General Act ("PAGA"),

Plaintiffs,

v.

UNITED STATES COLD STORAGE OF
CALIFORNIA, a California corporation; and
DOES 1 through 100, inclusive,

Defendants.

Case No. S-1500-CV-282297-SPC

[Assigned for all purposes to the Honorable
Thomas S. Clark, Dept. 17]

CLASS ACTION

**PLAINTIFFS ALFONSO GARIBAY
HERNANDEZ AND ERIK
VALENZUELA'S NOTICE OF
UNOPPOSED MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

[Filed Concurrently with Memorandum of
Points and Authorities; Declarations of Kitty
K. Szeto, Alfonso Garibay Hernandez, Erik
Valenzuela, and Jennifer M. Keough; and
[Proposed] Order]

Date: July 17, 2019
Time: 8:30 a.m.
Dept.: 17

Reservation ID #35183

1 **TO DEFENDANT UNITED STATES COLD STORAGE OF CALIFORNIA AND ITS**
2 **COUNSEL OF RECORD:**

3 **PLEASE TAKE NOTICE** that on July 17, 2019, at 8:30 a.m., or as soon thereafter as this
4 matter may be heard before the Honorable Thomas S. Clark in Department 17 of the above-entitled
5 court located 1415 Truxtun Avenue, Bakersfield, California 93301, Plaintiffs Alfonso Garibay
6 Hernandez and Erik Valenzuela (“Plaintiffs”) will and hereby move, unopposed, for an order:

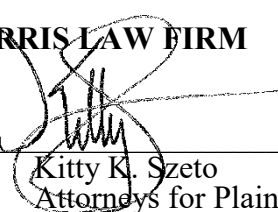
- 7 • Granting final approval of the proposed **\$1,750,000.00** class action
8 settlement (“Settlement”);
- 9 • Approving Class Counsel’s request for attorneys’ fees in the amount of
10 **\$612,500** for **1,292.05** hours of work on the case;
- 11 • Approving Class Counsel’s request for reimbursement of litigation costs
12 and expenses in an amount of **\$55,012.87**, which is **\$4,987.13 less than**
13 the amount allocated in the Settlement that will be disbursed to the class;
- 14 • Approving settlement administration costs in the amount of **\$11,426**;
- 15 • Approving a **\$15,000** service award to Plaintiff Alfonso Garibay
16 Hernandez and **\$10,000** to Plaintiff Erik Valenzuela for serving as Class
17 Representatives; and
- 18 • Approving **\$7,500** in PAGA Penalties to the Labor and Workforce
19 Development Agency.

20 This motion is based on the Plaintiffs’ Memorandum of Points and Authorities; the Declarations
21 of Kitty K. Szeto, Jennifer M. Keough, Alfonso Garibay Hernandez, and Erik Valenzuela; and the
22 [Proposed] Order, lodged together with this motion, as well as upon the pleadings and other records on
23 file with the Court in this matter, and upon such documentary evidence and oral argument as may be
24 presented at or before the hearing on this motion.

25 DATED: June 24, 2019

PARRIS LAW FIRM

26
27 By: _____


Kitty K. Szeto
Attorneys for Plaintiffs, the Certified Class,
and the Aggrieved Employees

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PROOF OF SERVICE
1013A(3) CCP

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 43364 10th Street West, Lancaster, California 93534

On June 24, 2019, I served the foregoing document described as

PLAINTIFFS ALFONSO GARIBAY HERNANDEZ AND ERIK VALENZUELA'S NOTICE OF UNOPPOSED MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

 X by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

*** Please See Attached List ***

 BY MAIL

 I deposited such envelope in the mail at Lancaster, California. The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U. S. postal service on that same day with postage thereon fully prepaid at Lancaster, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

 BY PERSONAL SERVICE

 I delivered such envelope by hand to the addressees at _____

 BY FACSIMILE

 I served such document(s) by fax at See Service List to the fax number provided by each of the parties in this litigation at Lancaster, California. I received a confirmation sheet indicating said fax was transmitted completely.

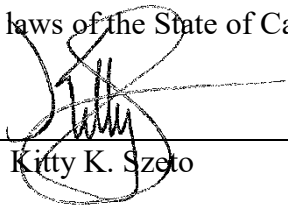
[X] **BY ELECTRONIC SERVICE as follows:** Based on a court order, or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addressed listed on the attached Service List.

 BY OVERNIGHT MAIL

 I placed such envelope in an overnight express mailer addressed to the party or parties listed on the attached list with delivery fees fully pre-paid for next-business-day delivery, and delivered it to an overnight express pick-up driver on the stated date.

Executed on June 24, 2019 at Lancaster, California.

 X I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



Kitty K. Szeto

ATTACHMENT TO PROOF OF SERVICE

HERNANDEZ, ALFONSO V. UNITED STATES COLD STORAGE OF CALIFORNIA, ET AL.
KERN COUNTY CASE NO. S-1500-CV282297-SPC

Chris Rusca, Esq.
SAGASER, WATKINS & WIELAND PC
5260 N. Palm Avenue, Suite 400
Fresno, California 93704
Telephone: (559) 421-7000
Facsimile: (559) 473-1483
chris@sw2law.com

/Attorneys for Defendants United States
Cold Storage of California and United
States Cold Storage, Inc.

California Labor and Workforce Development Agency /LWDA
1515 Clay Street, Ste. 801
Oakland, California 94612
Telephone: (916) 653-9900
<https://dir.tfaforms.net/209>