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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN BERNARDINO**

10 ERIK SMITH, as an individual on behalf of
himself and on behalf of all others similarly
11 situated,

12 Plaintiff,
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14 v.

15 PREMIER PACKING, LLC, a Kentucky
limited liability company; and DOES 1-
16 100, inclusive,

17 Defendants.
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Case No.: CIVSB2406078

Assigned for All Purposes to:
Hon. Wilfred J. Schneider, Jr.
Dept. S32

**NOTICE OF MOTION AND MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND REQUEST FOR
ATTORNEY'S FEES AND COSTS**

Date: August 6, 2026
Time: 8:30 a.m.
Dept.: S32

1 TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:

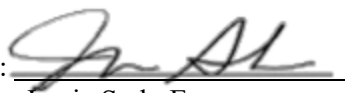
2 PLEASE TAKE NOTICE that on August 6, 2026, at 8:30 a.m., or as soon thereafter as the matter
3 may be heard, in Department S32 of the above-captioned Court, located 247 E. Third Street, San
4 Bernardino, California, plaintiffs Erik Smith, on behalf of himself and the conditionally certified
5 settlement class, will and hereby does move the Court for an order granting final approval of the
6 proposed class action settlement, approving the payment of civil penalties, approving the class
7 representative service payment provided for the class action settlement, and approving payment
8 of the Settlement Administrator's fees and expenses. Plaintiff also will and hereby does move the
9 Court for an order granting an award of attorney's fees in the amount of \$81,666.67 (1/3 of the
10 gross settlement amount) and costs in the amount of \$18,056.24, as provided in the proposed class
11 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 and
16 reasonable under the circumstances of the case.

17 This motion will be based on this Notice of Motion and Motion, the accompanying Memorandum
18 of Points and Authorities, the Settlement Agreement, the accompanying Declarations of Jamie Serb and
19 Fatima Montanez, the Court's entire file herein, and on such further evidence and argument as may be
20 presented at the hearing.

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22 Dated: July 8, 2026

CROSNER LEGAL, PC

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24 By: 
25 Jamie Serb, Esq.
26 Zachary M. Crosner, Esq.
27 Attorneys for Plaintiff ERIK SMITH
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