



From: Norma Dale

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To:

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Page: 74 of 77

11/29/2018 2:30 PM

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3 7767 Oakport Street, Suite 1150
4 Oakland, California 94621
5 Telephone: 510/590-7115
6 Facsimile: 510/562-6830
7 Email: jc@asmlawyers.com
8 Attorneys for Plaintiff and Class Counsel

FILED BY FAX

ALAMEDA COUNTY

November 29, 2018

CLERK OF
THE SUPERIOR COURT
By Alicia Espinoza, Deputy

CASE NUMBER:

RG16811677

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF ALAMEDA
10

11 WAYNE MAULDIN, an individual, on behalf of
12 himself and all others similarly situated,

13 Plaintiff,

14 vs.

15 ROLLING FRITO-LAY SALES, LP, a Delaware
16 Limited Partnership; FRITO-LAY, INC., a
17 Delaware Corporation; and DOES 1 through 25,

18 Defendants.

Case No.: RG16811677

CLASS ACTION

Plaintiff's Notice of Motion for an Order

- (1) Finally Approving Class Settlement;
- (2) Awarding Reasonable Attorney's Fees;
- (3) Awarding Reasonable Costs;
- (4) Awarding Incentive Award;
- (5) Awarding PAGA Penalties;
- (6) Awarding Claims Administration Fees;
- and
- (7) Scheduling Compliance Hearing.

Date: Dec. 21, 2018

Time: 9:00 a.m.

Courtroom: 21

Judge: Hon. Robert McGuiness

Complaint Filed: April 14, 2016

Reservation Number: R-1970331

1 TO EACH PARTY AND ATTORNEY OF RECORD:

2
3 PLEASE TAKE NOTICE that Plaintiff Wayne Mauldin hereby moves the Court for an order
4 (1) finally approving the class settlement; (2) awarding reasonable attorney's fees; (3) awarding
5 reasonable costs; (4) awarding an incentive award; (5) awarding PAGA penalties; (6) awarding
6 claims administration fees; and (7) scheduling a compliance hearing. This motion is made pursuant
7 to C.C.P. Section 382, and C.R.C. 3.769 on the grounds that the class settlement is fair, adequate, and
8 reasonable in both the total amount of the settlement and the distribution of the settlement proceeds.
9
10 The hearing on this motion will be held on December 21, 2018 at 9:00 a.m. in Department 21 of the
11 above-captioned court. The motion is based on the accompanying supporting memorandum, the
12 accompanying supporting declaration of Joseph Clapp, the accompanying supporting declaration of
13 Wayne Mauldin, and the accompanying supporting memorandum of Jennifer Mills.
14

15
16 Respectfully submitted,

17
18 Dated: November 29, 2018

aiman-smith marcy

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21 Joseph Clapp, Esq.
Attorneys for Plaintiff
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PROOF OF SERVICE

I, the undersigned, hereby declare: I am employed in the County of Alameda, California; I am over eighteen years of age and not a party to the within action. I am either admitted to practice before this Court or employed in the Office of an attorney admitted to practice in this Court. My business address is 7677 Oakport St., Suite 1150, Oakland, California 94621.

On this date, I served the following:

**Plaintiff's Notice of Motion for an Order (1) Finally Approving Class Settlement;
(2) Awarding Reasonable Attorney's Fees;
(3) Awarding Reasonable Costs;
(4) Awarding Incentive Award;
(5) Awarding PAGA Penalties;
(6) Awarding Claims Administration Fees;
and
(7) Scheduling Compliance Hearing.**

by placing a true copy thereof, enclosed in a sealed envelope, addressed as follows:

Samantha D. Hardy, Esq. Tara M. Duester, Esq. Sheppard Mullin Richter & Hampton LLP 501 West Broadway, 19 th Floor San Diego, California 92101-3598	Attorneys for Defendants ROLLING FRITO-LAY SALES, LP and FRITO-LAY, INC.
California Labor and Workforce Development Agency Attn. PAGA Administrator 1515 Clay Street, Ste. 801 Oakland, CA 94612	

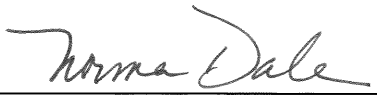
X [By Mail] I caused such envelope, with postage fully prepaid, to be placed in the United States mail at Oakland, California.

— [By Personal Service] I caused such envelope to be delivered by hand to the above address.

— [By E-Mail] I caused such document to be delivered by electronic transmission/e-mail to the above addressee.

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

Dated: November 29, 2018


Norma Dale

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2
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(2) Awarding Reasonable Attorney's Fees;
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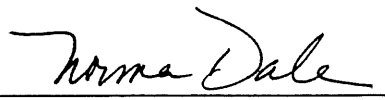
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