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Superior Court of California
County of Los Angeles

DEC 18 2018

Sherri R. Carter, Executive Officer/Clerk
By: M. Soto, Deputy
Moses Soto

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8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**
10 **(UNLIMITED JURISDICTION)**

11
12 JUAN P. MOLINA,

13 Plaintiff,

14 vs.

15 CACIQUE, INC., and DOES 1 to 20,
16 INCLUSIVE

17 Defendants.
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RESERVATION No. 180313297250

Case No. BC603600

ASSIGNED FOR ALL PURPOSES TO HON.
MARK V. MOONEY, JR. DEPT. 68

**NOTICE OF MOTION AND UNOPPOSED
MOTION FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND RELEASE**

Date: ~~December~~ ^{January} 18, 2018⁹

Time: 8:30 a.m.

Courtroom: Dept. 68

Judge: Hon. Mark V. Mooney, Jr.

Action Filed: December 9, 2015

Trial Date: Not Set

VILLEGAS CARRERA, LLP
Attorneys at Law
San Francisco

1 **TO: ALL INTERESTED PARTIES**

2 **PLEASE TAKE NOTICE** that on ^{January} ~~December~~ 18, 2018, in Department 68 of this Court,
3 located at 111 N. Hill St., Los Angeles, CA 90012, JUAN P. MOLINA (“Plaintiff”) will and hereby
4 does move this Court pursuant to Rule 3.769, California Rules of Court, for final approval of the
5 Stipulation Re: Class Action and Release (“Settlement”) which was preliminarily approved by this
6 Court June 18, 2018. In particular, Plaintiff moves for orders:

- 7 1. Granting Final approval of Stipulation Re: Class Action and Release;
- 8 2. Certifying the following Settlement Class for settlement purposes:
9 all persons who were employed by Cacique as Route Sales Representatives
10 assigned or supervised from its facility in City of Industry, California, at any
11 time during December 9, 2011, through October 31, 2016, at which time
12 Cacique eliminated the position of Route Sales Representative at its City of
13 Industry facility
- 14 3. Defining the Class Size as those putative members who were members of the class
15 from December 9, 2011 through October 31, 2016. The Settlement payment covers 26 members of
16 the Settlement Class;
- 17 4. Finally approving the implementation schedule;
- 18 5. Finally appointing and approving Virginia Villegas of Villegas Carrera, LLP as
19 Class Counsel;
- 20 6. Finally appointing and approving Plaintiff Juan P. Molina as Class Representative;
- 21 7. Finally approving a gross settlement fund of \$400,000.00 (“The Fund”);
- 22 8. Finally approving a Class Representative Award of \$25,000 to the Named
23 Representative Plaintiff as consideration for his time and effort in bringing and prosecuting this
24 matter and Ten Thousand Dollars (\$10,000.00) in exchange for his Complete Release Of All
25 Claims;
- 26 9. Finally appointing Simpluris, Inc., as the Settlement Administrator;
- 27 10. Finally approving payment of \$4,000 to Simpluris, Inc. as the Settlement
28 Administrator as compensation for administering the Settlement;
11. Finally approving an award of \$10,000 to the LWDA for PAGA penalties;

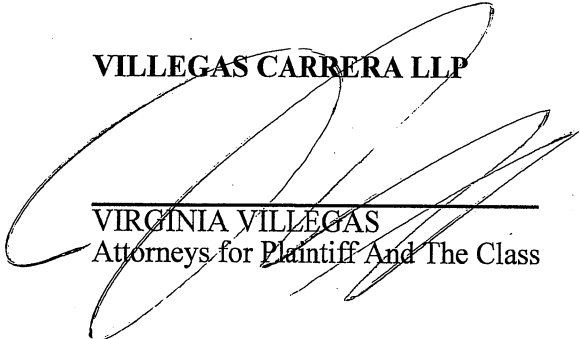
1 12. Finally approving an award of attorney's fees to Class Counsel in the amount of
2 thirty-three and third percent (33.3%) of The Fund, or \$133,200;

3 13. Finally approving reimbursement of Class Counsel's current out-of-pocket expenses
4 in the amount of \$22,000; and

5 14. Entering final judgment with the terms of the Settlement.

6 The Motion is based on this Notice, the accompanying Memorandum of Points and
7 Authorities, the proposed Order; the Declaration of Virginia Villegas In Support of Motion for
8 Final Approval; the Declaration of Jessica Barnett regarding the claim administration process, the
9 Declaration of Juan P. Molina In Support of Motion for Final Approval, the Court's record of this
10 action; all matters of which the Court may take notice; and such other and further oral and/or
11 documentary evidence as may be properly presented at the hearing on this matter.

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13 Dated: December 6, 2018

VILLEGAS CARRERA LLP


VIRGINIA VILLEGAS
Attorneys for Plaintiff And The Class

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