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15 Attorneys for Plaintiffs
and the Settlement California Class and FLSA Class
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17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**

19 EDGAR VICERAL and DAVID) **CASE NO. 3:15-cv-02198-EMC**
KRUEGER, individually and on behalf of) **(Assigned to Hon. Edward M. Chen)**
20 all others similarly situated,)
) **CLASS ACTION**
21 Plaintiffs,)
) **PLAINTIFFS' NOTICE OF UNOPPOSED**
22 v.) **MOTION FOR ATTORNEYS' FEES, COSTS,**
) **AND ENHANCEMENT AWARDS**
23 MISTRAS GROUP, INC.; and DOES 1-)
50, inclusive,) **DATE: February 2, 2017**
24 Defendant.) **TIME: 1:30 p.m.**
) **CTRM: 5**
25)
26)
27)
28)

1 TO THE COURT, ALL PARTIES, AND ATTORNEYS OF RECORD:

2 NOTICE IS HEREBY GIVEN that on Thursday February 2, 2017, at 1:30 p.m. in
3 Courtroom 5, 17th Floor of the Phillip Burton Federal Building & United States Courthouse, 450
4 Golden Gate Avenue, San Francisco, California 94102, before the Honorable Edward M. Chen of
5 the United States District Court, Northern District of California, Plaintiffs Edgar Vicerl and David
6 Krueger, on behalf of themselves and all others similarly situated, (“Plaintiffs”) move the Court for
7 an award of attorneys’ fees, costs, and enhancement awards.¹

8 Specifically, Plaintiffs seek an order for:

- 9 (1) an award to Class Counsel Schneider Wallace Cottrell Konecky Wotkyns LLP, Marlin &
10 Saltzman, LLP, and United Employees Law Group, P.C. of \$2,000,000.00 (one-third of the
11 Settlement Amount) in attorneys’ fees under a common fund approach;
12 (2) an award to Class Counsel of \$44,575.02 in actual costs; and
13 (3) enhancement awards to the Named Plaintiffs in the amount of \$7,500.00 to Named Plaintiff
14 Edgar Vicerl and \$1,000.00 to Named Plaintiff David Krueger for their service as Class
15 Representatives.

16 Pursuant to the Joint Stipulation of Settlement and Release (“Settlement Agreement”) (ECF
17 Dkt. No. 70-2), § 216(b) of the Fair Labor Standards Act, 29 U.S.C. §§ 201, *et seq.* (“FLSA”), and
18 California wage and hour law, including but not limited to California Labor Code §§ 226(e),
19 1194(a), 2802, 2699, and California Code of Civil Procedure § 1021.5, Plaintiffs are authorized to
20 apply for an award of reasonable attorneys’ fees and costs. Defendant Mistras Group, Inc.
21 (“Defendant”) does not oppose Class Counsel’s requested amount of fees and costs or the
22 enhancement awards.

23 This Motion is based on this Notice, the Brief in Support of Plaintiffs’ Unopposed Motion
24 for Attorneys’ Fees, Costs, and Enhancement Awards, the Declaration of Carolyn Hunt Cottrell
25 (“Cottrell Decl.”), the Declaration of Stan Saltzman (“Saltzman Decl.”), the Declaration of Plaintiff
26 David Krueger (“Krueger Decl.”), the Declaration of Plaintiff Edgar Vicerl (“Vicerl Decl.”), and

27 ¹ Pursuant to the Court’s August 2, 2016 Order RE Supplemental Briefing on Plaintiffs’ Motion for
28 Preliminary Approval (ECF Dkt. No. 71), a copy of this Motion is available on the Administrator’s website at
<http://www.simpluris.net/pages/case-info.aspx>.

1 all other records, pleadings, and papers on file in this action and such other evidence or argument as
2 may be presented to the Court at this hearing on this Motion.

3
4 Date: December 8, 2016

Respectfully submitted,

/s/ Nicole N. Coon

CAROLYN HUNT COTTRELL
NICOLE N. COON

SCHNEIDER WALLACE
COTTRELL KONECKY WOTKYNS LLP

Attorneys for Plaintiffs and the Settlement
California Class and FLSA Class

CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2016, I electronically filed the foregoing document with the Clerk of the Court using the Court's CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants.

Dated: December 8, 2016

/s/ Nicole N. Coon

NICOLE N. COON

SCHNEIDER WALLACE

COTTRELL KONECKY WOTKYNS LLP

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