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9  
10 Attorneys for Plaintiff: Joseph Payne, on behalf of  
11 herself and others similarly situated

12 **SUPERIOR COURT OF CALIFORNIA**

13 **COUNTY OF KERN**

14 \* \* \*

15 JOSEPH PAYNE, an individual,  
16 Plaintiff,

17 vs.

18 PROS, INCORPORATED, a California  
19 Corporation; JAMES LEAL, an individual;  
20 TERESA LEAL, an individual; and Does 1  
through 50, inclusive,

21 Defendants.

Case No. BCV-16-100356DRL

**CLASS ACTION**

[Honorable Honorable David R. Lampe -  
Dept. 11]

**NOTICE OF MOTION AND  
MOTION IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
ATTORNEYS' FEES, COSTS AND  
ENHANCEMENT AWARD**

**FINAL APPROVAL HEARING**

Date: August 29, 2018

Time: 8:30 a.m.

Dept. 11

**Motion Reservation No.:**

Complaint Filed: February 22, 2016

1 **TO EACH PARTY AND TO COUNSEL OF RECORD FOR EACH PARTY:**

2 **YOU ARE HEREBY NOTIFIED THAT** on August 29, 2018, at 8:30 a.m. in Department 11 of  
3 this Court, located at 1415 Truxtun Avenue, Bakersfield, California 93301, Plaintiff Joseph Payne  
4 (“Plaintiff”) will, and hereby does, move the Court for:

- 5 1. Award of attorneys’ fees in the amount of 233,310;
- 6 2. Award of documented litigation costs in the amount of \$17,321; and
- 7 3. An enhancement award in the amount of \$10,000 to Plaintiff Joseph Payne.

8 This Motion is made pursuant to California Code of Civil Procedure section 382, California  
9 Rules of Court 3.769 and this Court’s March 13, 2018 Order granting Plaintiff’s Motion for  
10 Preliminary Approval of Settlement. The basis of Plaintiffs’ Motion is that Class Counsel’s request  
11 for attorneys’ fees and costs is fair, reasonable, and in accordance with the agreement of the Parties  
12 and that Plaintiffs’ efforts and assistance in this case justify the requested enhancement award.

13 This Motion will be based on the Memorandum of Points and Authorities filed concurrently  
14 herewith, the documents on file in this matter, the Declarations of S. Brett Sutton, Jared Hague, and  
15 Zachary Crosner in support of this Motion, and upon such other oral or documentary evidence as  
16 may be submitted at or before the hearing of this motion.

17  
18 DATED: June 22, 2018

SUTTON HAGUE LAW CORPORATION

19  
20 By:  \_\_\_\_\_

JARED HAGUE  
Attorneys for Named Plaintiff  
and the Settlement Class

**PROOF OF SERVICE**

1  
2 My business address is **5200 N. Palm Ave., Suite 203, Fresno, California**  
3 **93704**. I am employed in Fresno, California. I am over the age of 18 years and am not a party  
4 to this case.

5 On the date indicated below, I served the foregoing document(s) described as:

6 **NOTICE OF MOTION AND MOTION IN SUPPORT OF PLAINTIFF’S MOTION**  
7 **FOR ATTORNEYS’ FEES, COSTS AND ENHANCEMENT AWARD;**  
8 **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF**  
9 **PLAINTIFF’S UNOPPOSED MOTION FOR ATTORNEYS’ FEES, COSTS AND**  
10 **ENHANCEMENT AWARD; DECLARATION OF JARED HAGUE IN SUPPORT OF**  
11 **UNOPPOSED MOTION FOR ATTORNEYS’ FEES, COSTS AND ENHANCEMENT**  
12 **AWARD; DECLARATION OF S. BRETT SUTTON IN SUPPORT OF PLAINTIFF’S**  
13 **UNOPPOSED MOTION FOR ATTORNEYS’ FEES, COSTS AND ENHANCEMENT**  
14 **AWARD; AND DECLARATION OF ZACHARY CROSNER IN SUPPORT OF**  
15 **MOTION FOR ATTORNEYS’ FEES, COSTS AND ENHANCEMENT AWARD**

16 on all interested parties in this action by placing a true copy thereof enclosed in sealed envelopes  
17 addressed as follows:

18 Jerry Wayne Pearson Jr., Esq. 19 Young Wooldridge LLP 20 1800 30th Street, Fourth Floor 21 Bakersfield, CA 93301-1919	22 Zachary Crosner, Esq. 23 Michael Crosner, Esq. 24 Crosner Legal, PC 25 345 Reeves Dr., Suite 2 26 Beverly Hills, CA 90212
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27   X   (BY FIRST CLASS MAIL) I am readily familiar with the business' practice for  
28 collection and processing of correspondence for mailing, and that correspondence,  
with postage thereon fully prepaid, will be deposited with the United States Postal  
Service on the date noted below in the ordinary course of business, at Fresno,  
California.

\_\_\_\_\_ (BY PERSONAL SERVICE) I caused such envelopes to be delivered by hand to  
the office(s) of the addressee(s).

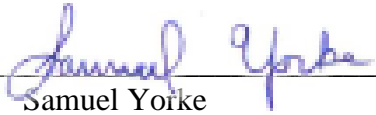
\_\_\_\_\_ (BY FACSIMILE) I caused the above-referenced document to be delivered by  
facsimile to the facsimile number(s) of the addressee(s).

\_\_\_\_\_ (BY OVERNIGHT MAIL) I am readily familiar with the business' practice for  
collection and processing of correspondence for mailing and that correspondence  
will be deposited with an overnight carrier on the date noted below in the ordinary  
course of business, in accordance with the overnight carrier’s method for billing  
for same, and before the last scheduled pick-up time, at Fresno, California.

**EXECUTED on June 22, 2018, at Fresno, California.**

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

  
\_\_\_\_\_  
Samuel Yorke