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13 **SUPERIOR COURT OF CALIFORNIA**
14 **COUNTY OF ALAMEDA**

15 EDGAR DIAZ and JOE TRIGO, individually
16 and on behalf of all others similarly situated,

17 Plaintiffs,

18 vs.

19 TAK COMMUNICATIONS CA, INC.; TAK
COMMUNICATIONS, INC.; and DOES 1-25,
20 inclusive,

21 Defendants.

Case No: RG20064706

CLASS ACTION

*Assigned for All Purposes to Judge Y. Winifred
Smith, Dept. 21*

**NOTICE OF MOTION AND MOTION
FOR FINAL APPROVAL OF CLASS AND
COLLECTIVE ACTION SETTLEMENT**

Date: April 23, 2021

Time: 10:00 a.m.

Reservation Number: R-2228006

Date Action Filed: June 12, 2020

6. Finally approving service payments of \$10,000.00 each to Plaintiffs Edgar Diaz and Joe Trigo for their efforts on behalf of the Settlement Class;
7. Finally approving an award of attorneys' fees in the amount of \$399,999.99 to Class Counsel from the Gross Settlement Amount;
8. Finally approving an award of litigation costs in the amount of \$16,880.15 to Class Counsel from the Gross Settlement Amount;
9. Finally approving Heffler Claims Group as the Settlement Administrator;
10. Finally approving payment of \$27,500.00 to Heffler Claims Group from the Gross Settlement Amount for administering the Settlement;
11. Entering a final judgment consistent with the terms of the Settlement and this Motion;
- and
12. Finally approving the following implementation schedule:

Event	Deadline
Final Approval Hearing	April 23, 2021 at 10:00 a.m.
Effective Date	(i) if there is an objection(s) to the settlement that is not subsequently withdrawn, then the date upon the expiration of time for appeal of the Court's Final Approval Order; or (ii) if there is a timely objection(s) and appeal by an objector(s), then after such appeal(s) is dismissed or the Court's Final Approval Order is affirmed on appeal; or (iii) if there are no timely objections to the settlement, or if any objections which were filed are withdrawn before the date of final approval, then the first business day after the Court's order granting Final Approval of the Settlement
Settlement Administrator to provide Plaintiffs and Defendants the final Settlement Award calculations to be paid by Defendants pursuant to the terms of Settlement	As soon as practicable after the Effective Date
Settlement Administrator to provide Defendants with an accounting of the payroll taxes to be paid by Defendants pursuant to the terms of Settlement	Five (5) business days after final Settlement Award calculations are approved
Defendants to pay \$1,200,000.00 to the Settlement Administrator's Qualified Settlement Fund to make payments to Participating Class and Collective Members, the Class Representative Payment, the PAGA Payment, and the Class	Ten (10) business days after the Effective Date

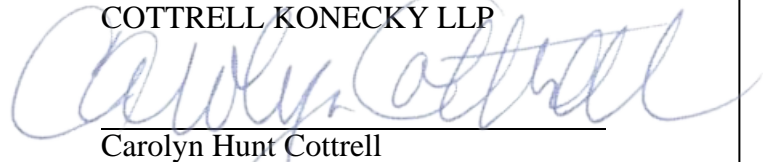
1	Counsel Fees and Costs Payment, together with the applicable amount of the employer's share of payroll taxes	
2	Settlement Administrator to issue payments to Participating Class Members, the LWDA, Named Plaintiffs for their service awards, Class Counsel for its fees and costs, and to itself as payment for its services	Thirty (30) business days after the Effective Date or as soon as reasonably practicable
3	Checks for the Individual Settlement Payments will become void and no longer available if not cashed	One hundred and eighty (180) days from the date of the checks' issuance
4	Funds from uncashed checks to be redistributed to those Class and Collective Members who timely cashed their settlement checks if the residual amount is more than \$50,000, or to revert in <i>cy pres</i> if the residual amount is less than \$50,000	As soon as practicable after the check-cashing period
5	Plaintiffs to provide written certification of the completion of the distribution process and satisfaction of judgment to the Court	Twenty-one (21) days after the distribution of remaining monies from uncashed checks
6	Compliance Hearing	To be set by the Court

14 This Motion is based on this Notice of Motion and Motion, the accompanying
15 Memorandum of Points and Authorities, the the Declaration of Carolyn H. Cottrell, the
16 Declaration of Camille F. Rodriguez, the Settlement, the Notice of Proposed Settlement, the
17 Court's Order Granting Plaintiff's Motion for Preliminary Approval of Class Action Settlement, all
18 other documents and records on file in this action, and on such further oral and documentary
19 evidence as may be given at the hearing, if any, on this Motion.

20 Dated: April 1, 2021

Respectfully submitted,

SCHNEIDER WALLACE
COTTRELL KONECKY LLP



Carolyn Hunt Cottrell

Attorneys for Plaintiffs, Class,
Collective, Aggrieved Employees, and
State of California