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10 **Attorneys for Plaintiff JENNIFER MODICA, individually and on behalf of other similarly**  
11 **situated current and former employees and as a proxy for the Labor & Workforce Development**  
12 **Agency (“LWDA”)**

13 **UNITED STATES DISTRICT COURT**  
14 **EASTERN DISTRICT OF CALIFORNIA**

15 **JENNIFER MODICA, individually and on**  
16 **behalf of other similarly situated current and**  
17 **former employees and as proxy for the LWDA,**

18 **Plaintiff,**

19 **v.**

20 **IRON MOUNTAIN INFORMATION**  
21 **MANAGEMENT SERVICES, INC., a Delaware**  
22 **corporation; and DOES 1-100, inclusive,**

23 **Defendants.**

24 **Case No. 2:19-cv-00370-TLN-JDP**

25 **AMENDED NOTICE OF MOTION AND**  
26 **PLAINTIFF’S MOTION FOR**  
27 **ATTORNEY’S FEES, COSTS, AND**  
28 **SERVICE PAYMENTS**

**Date: December 17, 2020**  
**Time: 2:00 p.m.**  
**Dept.: Courtroom 2, 15th Floor**  
**Judge: Hon. Troy L. Nunley**

29 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

30 PLEASE TAKE NOTICE that, on December 17, 2020 at 2:00 p.m., or as soon thereafter as  
31 counsel may be heard, Plaintiff Jennifer Modica (“Plaintiff” or “Modica”) will bring on for hearing  
32 before the Honorable Judge Troy L. Nunley, in Courtroom 2, 15th Floor, Robert T. Matsui Federal  
33 Courthouse, 501 I Street, Sacramento, CA 95814, this Motion for Attorneys’ Fees, Costs, and Service  
34 Payment (the “Fee Motion”).

35 The Fee Motion is brought pursuant to Federal Rules of Civil Procedure Rule 23(h) on the  
36 grounds that the fees sought by Class Counsel, in the amount of \$1,500,000, 1/3 of the Maximum

1 Settlement Amount negotiated in this matter, are reasonable and appropriate pursuant to *Laffitte v.*  
2 *Robert Half Int’l., Inc.*, 1 Cal.5th 480, 503-506 (2016) and applicable California and federal law, that  
3 the requested cost award of \$16,000.05 is reasonable and appropriate as these costs were actually  
4 incurred by Class Counsel in prosecution of this matter, and that affording Modica a service payment  
5 in the amount of \$15,000 is reasonable and appropriate in light of her service to the Class and her  
6 provision of a substantially broader release of claims than that provided on behalf of Class Members.

7 Plaintiffs’ Fee Motion is based on the Notice of Motion; the Memorandum of Points and  
8 Authorities; the accompanying Declarations of Jenny D. Baysinger, with exhibits (including the  
9 Settlement Agreement), Robert J. Wasserman, and Elizabeth Kruckenberg; the pleadings, orders, and  
10 other papers on file in this matter; and any further evidence and arguments as may be presented at the  
11 hearing of this matter.

12 **DATED: October 20, 2020**

**MAYALL HURLEY P.C.**

13  
14 By         /s/ Jenny D. Baysinger                  
15 JENNY D. BAYSINGER  
16 ROBERT J. WASSERMAN  
17 Attorneys for Plaintiff and the Class  
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