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8 Attorneys for Plaintiff,
9 ERIC AYALA, and all others similarly situated
10 (additional attorneys listed on next page)

11 **IN THE UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 ERIC AYALA and ADRIAN
14 AVILES, on behalf of themselves and
15 all others similarly situated, and as
16 “aggrieved employees” on behalf of
17 other “aggrieved employees” under
18 the Labor Code Private Attorneys
19 General Act of 2004,

20 *Plaintiff(s),*

21 vs.

22 UPS SUPPLY CHAIN SOLUTIONS,
23 INC., a Delaware corporation; UPS
24 SUPPLY CHAIN SOLUTIONS
25 GENERAL SERVICES, INC., a
26 Delaware corporation; and DOES 1
27 10, inclusive,

28 *Defendant(s).*

Case No.: 5:20-cv-00117-PSG-AFM

**NOTICE OF MOTION AND MOTION
FOR AWARD OF ATTORNEYS’
FEES AND COSTS, SETTLEMENT
ADMINISTRATION COSTS, AND
CLASS REPRESENTATIVE SERVICE
AWARDS**

Date: January 14, 2022

Time: 1:30 p.m.

Courtroom: 6A

Judge: Hon. Philip S. Gutierrez

**Submitted Herewith Under Separate
Cover**

1. Memorandum of Points and Authorities;
2. Declarations of David Spivak, Kyle Nordrehaug, Erica Ayala, Adrian Aviles, and Kevin Lee; and
3. [Proposed] Order.



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ATTORNEYS FOR PLAINTIFF ADRIAN AVILES

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

2 PLEASE TAKE NOTICE that on January 14, 2022 at 1:30 p.m., or as soon
3 thereafter as the matter may be heard, in Courtroom 6A of the above-entitled court,
4 located at First Street Courthouse, 350 West 1st Street, Los Angeles, California
5 90012-4565, Plaintiffs Eric Ayala and Adrian Aviles (“Plaintiffs”) will and hereby
6 do move this Court for an order: (1) approving an award of \$600,000.00 in attorneys’
7 fees to David G. Spivak of The Spivak Law Firm (“Ayala Class Counsel”) and
8 Norman B. Blumenthal, Kyle R. Nordrehaug, and Aparajit Bhowmik of Blumenthal
9 Nordrehaug Bhowmik De Blouw LLP (“Aviles Class Counsel”) (collectively “Class
10 Counsel”), (2) approving an award of \$133,347.82 in costs and expenses to Class
11 Counsel, (3) approving settlement administration costs of \$19,000.00 to Phoenix
12 Settlement Administrators, and (4) approving Class Representative Service Awards
13 of \$20,000.00 to each Plaintiff (\$40,000.00 total).

14 This Motion is made on the grounds that the provisions in the “Joint
15 Stipulation of Class Action Settlement” (“the Settlement”) expressly authorizes the
16 award of the above-referenced amounts and that these payments are fair and
17 reasonable as required under Rules 23(e) and (h) of the Federal Rules of Civil
18 Procedure.

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1 This motion is based on this Notice of Motion, the Memorandum of Points
2 and Authorities, the declarations of David Spivak, Kyle Nordrehaug, Eric Ayala,
3 Adrian Aviles, and Kevin Lee, all accompanying exhibits, all papers currently on
4 file with this Court, and such further evidence and arguments as may be presented
5 at hearing.

6 Respectfully submitted,

7 THE SPIVAK LAW FIRM

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9 Dated: November 5, 2021

By /s/ David Spivak
10 DAVID SPIVAK
11 Attorneys for Plaintiff, ERIC AYALA

12 BLUMENTHAL NORDREHAUG
13 BHOWMIK DE BLOUW LLP

14 Dated: November 5, 2021

By /s/ Kyle R. Nordehuag
15 NORMAN B. BLUMENTHAL
16 KYLE R. NORDREHAUG
17 APARAJIT BHOWMIK
18 PIYA MUKHERJEE
19 VICTORIA B. RIVAPALACIO
20 Attorneys for Plaintiff, ADRIAN AVILES



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