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Attorneys for Defendant
Amware Pallet Services, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF FRESNO

ESTEBAN CAMPOS SOTO, individually and on behalf of all others similarly situated, Plaintiff, vs. AMWARE PALLET SERVICES, LLC, a limited liability corporation doing business in California; and DOES 1-20, inclusive, Defendants.	Case No. 20CECG00227 *Assigned for all purposes to* *Hon. D. Tyler Tharpe* *Dept. 501* **AMENDMENT TO AMENDED STIPULATION AND SETTLEMENT OF CLASS ACTION CLAIMS**

1

1 Plaintiff Esteban Campos Soto ("Plaintiff") and the Class Members, on the one hand, and

2 Defendant Amware Pallet Services, LLC ("Defendant"), on the other hand, pursuant to Article VI,

3 section 6.01 of the Parties' Amended Stipulation and Settlement of Class Action Claims ("Settlement

4 Agreement"), hereby agree to amend and supplant the Settlement Agreement as stated herein. Unless

5 expressly set forth herein, all other provisions to the Settlement Agreement will remain unchanged.

6 The amendments stated herein are incorporated in the Settlement Agreement by this reference:

7 **ARTICLE III, Section 3.06(b) is hereby amended to state:**

8 Class Counsel shall submit an application for an award of attorneys' fees of up to thirty-five

9 percent (35%) of the Gross Settlement Amount, which, based on the current Gross Settlement

10 Amount, is Three Hundred Eighty Five Thousand Dollars ($385,000.00). Class Counsel shall submit

11 an application for an award of costs not to exceed Twenty-Five Thousand Dollars ($25,000.00). Such

12 application for attorneys' fees and costs shall be heard by the Court at the Final Fairness and Approval

13 Hearing. Defendant shall not object to or oppose any such application in these amounts. Class

14 Counsel shall serve Defendant with copies of all documents submitted in support of their application

15 for an award of attorneys' fees and costs.

16 Any attorneys' fees and costs awarded to Class Counsel by the Court shall be paid from the

17 Gross Settlement Amount and shall not constitute payment to any Class Member(s). The attorneys'

18 fees and costs for Class Counsel approved by the Court shall encompass all work performed, costs,

19 and expenses related to the investigation, prosecution, and settlement of the Action incurred through

20 the Date of Finality. To the extent that the Court approves less than the amount of attorney's fees

21 and/or costs that Class Counsel requests, the difference between the requested and awarded amounts

22 will be reallocated to the Net Settlement Amount.

23 **EXECUTION BY PARTIES AND COUNSEL**

24 The Parties hereby execute this Agreement.

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AMENDMENT TO AMENDMENT TO STIPULATION AND SETTLEMENT OF CLASS ACTION CLAIMS
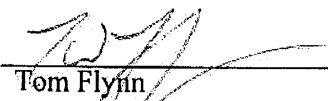
Dated: _____5/23/2022_____   ESTEBAN CAMPOS SOTO

By: _____

Esteban Campos Soto

Dated: _____5/20/22_____   AMWARE PALLET SERVICES, LLC

By: _____

Tom Flynn

_____

Tom Flynn

AMENDMENT TO AMENDMENT TO STIPULATION AND SETTLEMENT OF CLASS ACTION CLAIMS