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13 *Attorneys for Plaintiff Manuel I. Figueroa, M.D.,*
14 *and the Proposed Class*

15 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
16 **COUNTY OF LOS ANGELES**

18 MANUEL I. FIGUEROA, M.D., for and on
19 behalf of himself and other persons similarly
20 situated,

21 Plaintiff,

22 vs.

23 MOLINA HEALTHCARE OF
CALIFORNIA, INC.,

24 Defendant.

Case No. BC645344
(Hon. Kenneth R. Freeman, Dept. 14)

CLASS ACTION

**PLAINTIFF'S NOTICE OF MOTION
AND MOTION FOR APPROVAL OF
ATTORNEYS' FEES AND INCENTIVE
AWARD FOR CLASS
REPRESENTATIVE**

Date: November 9, 2023
Time: 10:30 a.m.
Place: Dept. 14, Spring Street Courthouse

Action filed: December 30, 2016
Trial Date: Not set

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

PLEASE TAKE NOTICE that, on November 9, 2023, at 10:30 a.m. in Department 14 of the Los Angeles Superior Court, Spring Street Courthouse, located at 312 North Spring Street, Los Angeles, CA 90012, before the Honorable Kenneth R. Freeman, Plaintiffs will and hereby do move for an order awarding attorneys' fees and an incentive award in the above-entitled action.

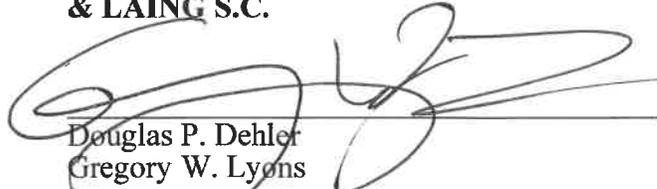
Through this Motion, brought pursuant to Rule 3.769 of the California Rules of Court, Plaintiffs seek an Order from the Court for the following:

- (1) an award of attorneys' fees of \$872,122.38 for Class Counsel to be paid by Defendant pursuant to the parties' Revised Settlement Agreement; and
- (2) an incentive award of \$2,500 to the named Plaintiff, Manuel I. Figueroa, M.D.

This Motion is based on this Notice of Motion and Motion, the concurrently-filed Memorandum of Points and Authorities in Support of Motion For Approval of Attorneys' Fees and Incentive Award for Class Representative, the concurrently-filed Declaration of Gregory W. Lyons and the exhibits thereto, the concurrently-filed Declaration of Manuel I. Figueroa, M.D., the concurrently-lodged [Proposed] Order Granting Award of Attorneys' Fees and Incentive Award, and the entire record of these proceedings and such oral argument as the Court may permit.

Dated: December 22, 2022

**O'NEIL, CANNON, HOLLMAN, DEJONG
& LAING S.C.**



Douglas P. Dehler
Gregory W. Lyons

NELSON & FRAENKEL LLP
Gretchen M. Nelson
Gabriel S. Barenfeld

Attorneys for Plaintiff and the Proposed Class

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2 **PROOF OF SERVICE**

3 I, the undersigned, declare:

4 I am employed in the County of Los Angeles, State of California. I am over the age of 18
5 and not a party to the within action; my business address is 601 So. Figueroa St., Suite 2050, Los
6 Angeles, California 90017.

7 On December 23, 2022, I served the foregoing documents described as follows:

8 **PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR APPROVAL OF**
9 **ATTORNEYS' FEES AND INCENTIVE AWARD FOR CLASS**
10 **REPRESENTATIVE**

11 on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes
12 addressed as stated on the attached service list, and in the manner stated below:

13 X **BY ELECTRONIC SERVICE**

14 served by e-mail through Case Anywhere: I attached a true and correct copy of the above-entitled
15 document(s) to Case Anywhere by electronic transfer for service on all counsel of record by
16 electronic service pursuant to the Order Authorizing Electronic Service. This service complies
17 with C.C.P. §1010.6.

18 **BY MAIL:**

19 I am "readily familiar" with the firm's practice of collection and processing
20 correspondence for mailing. Under that practice, it would be deposited with the U.S.
21 Postal Service on that same day with postage thereon fully prepaid at Los Angeles,
22 California in the ordinary course of business. I am aware that on motion of the party
23 served, service is presumed invalid if postal cancellation date or postage meter date is
24 more than one day after date of deposit for mailing in affidavit.

25 **BY PERSONAL SERVICE:**

26 I caused to be delivered such envelope by hand to the offices of the addressee.

27 **BY FEDERAL EXPRESS OR OVERNIGHT CARRIER**

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

Executed on December 23, 2022, at Los Angeles, California.

26 KARINA TORRES
27 (Type or Print Name)

26 *Karina Torres*
27 (Signature)

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SERVICE LIST
Figueroa, M.D. v. Molina Healthcare of California, Inc., et al.
Case No. BC645344

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| <p>Quyen L. Ta KING & SPALDING LLP 101 Second Street, Suite 1000 San Francisco, California 94105 Telephone: (415) 318-1227 Facsimile: (415) 318-1300 Email: qta@kslaw.com</p> | <p>Attorneys for Defendant Molina Healthcare of California, Inc</p> |
| <p>Craig H. Bessenger KING & SPALDING LLP 633 West Fifth Street, Suite 1600 Los Angeles, California 90071 Telephone: (213) 443-4355 Facsimile: (213) 443-4310 Email: cbessenger@kslaw.com</p> | <p>Attorneys for Defendant Molina Healthcare of California, Inc</p> |