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9
10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF SAN BERNARDINO**

12 STACY DORCAS, individually and on behalf of
13 all others similarly situated,

14 Plaintiff,

15 v.

16 ATERIAN, INC.,

17 Defendant.

Case No. CIVSB2222117

CLASS ACTION

**NOTICE OF MOTION AND
MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT AND REQUEST
FOR FEES**

*[Filed concurrently with Memorandum of
Points and Authorities; Declarations of
Lisa Omoto, Katherine Rovertoni, and
Luciano McCollam; and [Proposed]
Order]*

Date: March 7, 2024

Time: 8:30 am

Dept.: S26

Judge: Hon. David Cohn

Complaint Filed: December 9, 2022

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

PLEASE TAKE NOTICE that on March 7, 2024, at 8:30 a.m., in Department S-26 of the above-entitled court, Plaintiff Stacy Dorcas (“Plaintiff”) moves the Court, pursuant to California Rules of Court 3.769(g), for an order: (1) granting final approval of the terms of the proposed Settlement Agreement; (2) finally certifying the Settlement Class for settlement purposes only; (3) finally appointing Plaintiff Stacy Dorcas as Class Representative for settlement purposes only; (4) finally appointing Faruqi & Faruqi, LLP as Class Counsel for settlement purposes only; (5) finding that Class Notice was made in compliance with California Rules of Court, rules 3.766 and 3.769(f), and Cal. Civ. Code § 1781(e); (6) awarding Class Counsel fees the amount of \$171,520.07 and \$28,479.93 in costs; and (7) awarding Plaintiff Stacey Dorcas a Class Representative Service Award in the amount of \$1,500.

This motion is based on this Notice, the accompanying memorandum of points and authorities in support thereof, the Declarations of Lisa Omoto, Katherine Rovertoni, and Luciano McCollam, the Settlement Agreement, the complete files and records in this action, on such further oral and documentary evidence that may be submitted, and any further evidence as the Court may receive.

DATED: January 22, 2024

FARUQI & FARUQI, LLP

By: /s/ Lisa T. Omoto
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