

1 **SWIGART LAW GROUP, APC**
2 JOSHUA B. SWIGART (SBN 225557)
3 2221 Camino del Rio S, Ste. 308
4 San Diego, CA 92108
5 Telephone: (866) 219-3343

6 Peter F. Barry (MN SBN 266577)
7 (*Pro Hac Vice*)
8 Pbarry@lawpoint.com

9 **THE BARRY LAW OFFICE, LTD**
10 333 Washington Ave No, Suite 300-9038
11 Minneapolis, MN 55401-1353
12 Telephone: (612) 379-8800

13 *Attorneys for Plaintiff*
14 **DAVID GREENLEY AND THE**
15 **PUTATIVE CLASS**

16 UNITED STATES DISTRICT COURT

17 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

18 DAVID GREENLEY, individually and
19 on behalf of others similarly situated,

20 Plaintiffs,

21 v.

22 MAYFLOWER TRANSIT, LLC,

23 Defendant.

CASE NO. 21cv339-WQH-MDD

[Judge: Hon. William Q. Hayes]

**NOTICE OF MOTION AND
MOTION FOR (1) ATTORNEY
FEES;(2) REIMBURSEMENT OF
LITIGATION EXPENSES; 930
APPROVAL OF SETTLEMENT
ADMINISTRATION FEES; AND
(4) APPROVAL OF CLASS
REPRESENTATIVE SERVICE
AWARD**

Date Action Filed: February 25, 2021

Date: August 4, 2022 at 10:30 a.m.

Courtroom: 14B

1 **TO: ALL PARTIES AND THEIR COUNSEL OF RECORD**

2 **PLEASE TAKE NOTICE THAT**, pursuant to Fed. R. Civ. P. Rule
3 23(b)(2) and 23(b)(3) Plaintiff David Greenley, will, and hereby does, move this
4 Court, on August 4, 2022, for an order, (1) awarding attorney fees to class counsel
5 in the amount of three hundred sixty two thousand five hundred dollars
6 (\$362,500); (2) approving reimbursement of litigation costs in the amount of
7 thirty thousand eight hundred and seventy four dollars and twelve cents
8 (\$30,874.12); (3) approving settlement administration costs to CPT Group, Inc.,
9 in the amount of twelve thousand five hundred dollars (\$12,500); (4) approving
10 a service award to Class Representative David Greenley in the amount of ten
11 thousand dollars (\$10,000); and, (5) preliminarily approving the Settlement
12 reached in this case and for related relief as specified below. Please take further
13 Notice that there will be no oral argument unless requested by the court.

14 This motion is made following the conference of counsel that took place
15 on and before March 1, 2022.

16 This Motion will be based on (1) this Notice of Motion, (2) the
17 Memorandum of Points and Authorities, (3) the Declaration of David Greenley,
18 (4) the Declaration of Joshua B. Swigart, and (4) the Declaration of Peter F.
19 Barry, all filed concurrently herewith and upon all facts and authorities which
20 may be presented to the court in connection with this motion.

21 Defendant Mayflower Transit, LLC does NOT oppose this Motion.

22 Date: March 7, 2022

23 **SWIGART LAW GROUP, APC**

24 By: /s/ Joshua B. Swigart
Joshua B. Swigart

25 **THE BARRY LAW OFFICE, LTD**

26 By: /s/Peter F. Barry
27 Peter F. Barry

28 Attorneys for Plaintiff