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11 *Attorneys for Plaintiff LeAnne Tan*  
 12 *and the putative Class*

13  
 14 UNITED STATES DISTRICT COURT  
 15 SOUTHERN DISTRICT OF CALIFORNIA

16 LEANNE TAN, Individually and On  
 17 Behalf of All Others Similarly Situated,  
 18 Plaintiffs,  
 19 v.  
 20 QUICK BOX, LLC, et al,  
 21 Defendants.

Case No.: 3:20-cv-1082-LL-DDL

**PLAINTIFF’S MOTION TO MODIFY  
 PLAINTIFF’S MOTION FOR  
 PRELIMINARY APPROVAL OF  
 CLASS ACTION SETTLEMENT**

**Date:** March 20, 2024  
**Time:** \*  
**Ctrm:** 2B  
**Judge:** Hon. Linda Lopez

\*PER CHAMBERS RULES, NO ORAL  
 ARGUMENT UNLESS SEPARATELY  
 ORDERED BY THE COURT

Complaint Filed: June 12, 2020

1 Plaintiff filed its Motion for Preliminary Approval of Class Action Settlement on  
2 October 31, 2023. ECF 350. The motion is currently pending with the Court. Plaintiff seeks  
3 to modify the language on the proposed notice forms. Specifically, Plaintiff proposes to  
4 change Section 12 of the long form notice, entitled “How will the lawyers be paid?”<sup>1</sup> to read  
5 as follows:

6 Class Counsel will ask the Court for an award of attorneys’ fees of up to 1/3 of  
7 the Settlement Fund (\$1,833,333.33) and for reimbursement of expenses  
8 incurred through the date of the settlement (\$84,040.37) and additional  
9 expenses incurred related to this notice and the administration of payment of  
10 the award (which will be disclosed in the motion for attorney’s fees and costs,  
11 but are currently estimated at \$ [REDACTED]). Any award of attorneys’ fees and  
12 costs will be paid from the Settlement Fund. Class Counsel will also ask the  
13 Court for a service award for the Class Representative (up to \$6,000). The  
purpose of the service awards is to compensate the Plaintiff for her time, efforts  
and risks taken on behalf of the Settlement Class. Any award of payment to the  
Class Representative will be paid from the Settlement Fund.

14 Plaintiff proposes to change the bottom of the email notice and postcard notice<sup>2</sup> as follows:

15 The Court will hold a hearing on [DATE at TIME]. At that hearing, the Court  
16 will consider whether to approve this Settlement and whether to approve  
17 requested attorneys’ fees of up to 1/3 of the Settlement Fund (\$1,833,333.33),  
18 reimbursement of expenses incurred through the date of the settlement  
19 (\$84,040.37) and additional expenses incurred related to this notice and the  
20 administration of payment of the award (which will be disclosed in the motion  
for attorney’s fees and costs, but are currently estimated at \$ [REDACTED]) and  
requested Class Representative’s service award (up to \$6,000), all of which  
will come from the Settlement Fund.

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24 <sup>1</sup> Section 12 of the proposed notice is located at ECF 350-2 p. 93 (Exhibit 5 to the  
25 Settlement Agreement, which is Exhibit 26 to Plaintiff’s Motion for Preliminary  
26 Approval).

27 <sup>2</sup> The proposed email notice is located at ECF 350-2 p. 98-99 (Exhibit 6 to the Settlement  
28 Agreement, which is Exhibit 26 to Plaintiff’s Motion for Preliminary Approval). The  
proposed postcard notice is located at ECF 350-2 p. 101 (Exhibit 7 to the Settlement  
Agreement).

1           The proposed language adds additional information about the fees and costs  
2 Plaintiff’s counsel will seek. Plaintiff submits that this modified language will better  
3 inform the class about the possible costs and fees that will be deducted from the common  
4 fund.

5  
6 DATED: February 14, 2024

**KNEUPPER & COVEY, PC**

/s/Kevin M. Kneupper

Kevin M. Kneupper, Esq.

*Attorneys for Plaintiff LeAnne Tan  
and the putative Class*

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