

1 **LYNCH CARPENTER, LLP**

2 Todd D. Carpenter (234464)

3 todd@lcllp.com

4 James B. Drimmer (196890)

5 Jim@lcllp.com

6 1234 Camino del Mar

7 Del Mar, CA 92014

8 Tel: 619-762-1910

9 Fax: 619-756-6991

10 *Attorneys for Plaintiffs and Class Counsel*

**ELECTRONICALLY FILED**

Superior Court of California,  
County of San Diego

**10/24/2023** at 08:58:00 PM

Clerk of the Superior Court  
By Elizabeth Sanchez, Deputy Clerk

11 **SUPERIOR COURT OF CALIFORNIA**

12 **COUNTY OF SAN DIEGO**

13 STEPHANIE ABERL, DIANA VASQUEZ, and  
14 SHANNON CUSTER, on behalf of themselves  
15 and all others similarly situated,

16 Plaintiffs,

17 v.

18 ASHLEY GLOBAL RETAIL, LLC, a Delaware  
19 limited liability company

20 Defendants.

Case No. 37-2023-00011536-CU-BT-NC

**[E-FILE]**

**CLASS ACTION**

**PLAINTIFF'S NOTICE OF UNOPPOSED  
MOTION AND MOTION FOR  
ATTORNEYS' FEES, COSTS, AND  
INCENTIVE AWARD**

Date: January 19, 2024

Time: 1:30 P.M.

Judge: Cynthia A. Freeland

Dept: N-27

1 TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

2 On August 25, 2023, the Honorable Cynthia A. Freeland granted preliminary approval of the class  
3 action Settlement Agreement<sup>1</sup> in this matter and set a Final Fairness Hearing to be held on January 19,  
4 2024, at 1:30 p.m. At the Final Fairness Hearing, or as soon thereafter as counsel can be heard in  
5 Department N-27 of the above-entitled Court, Plaintiffs will, and hereby do, move for an Order Awarding  
6 Attorneys' Fees, Costs, and Incentive Award.

7 Class Counsel requests an award of \$700,000.00 in attorneys' fees and costs to be approved by  
8 this Court. Importantly, the requested fees and costs will be paid out separately and apart from any benefits  
9 paid to the Class. Plaintiffs also request an incentive award of \$2,500 for each Plaintiff, Stephanie Aberl,  
10 Diana Vasquez, and Shannon Custer, as agreed to by Defendant, in recognition of their risk in  
11 commencing this case and their efforts in litigating this Action.

12 Therefore, Plaintiffs, on behalf of themselves and the Class, submits this unopposed motion based  
13 upon the memorandum of points and authorities in support of the motion filed herewith, the concurrently  
14 filed declaration of Todd D. Carpenter, and the records and files in this Action, and such arguments as  
15 may be presented at the hearing on this motion.

16 Dated: October 24, 2023

**LYNCH CARPENTER, LLP**

17 By: */s/Todd D. Carpenter*

Todd D. Carpenter (234464)

todd@lcllp.com

18 James B. Drimmer (196890)

19 Jim@lcllp.com

1234 Camino del Mar

20 Del Mar, CA 92014

21 Tel.: 619-762-1900

Fax: 619-756-6991

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23 *Attorneys for Plaintiffs and Class Counsel*  
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28 <sup>1</sup> All capitalized terms, unless otherwise defined, have the same definition as those terms in the Settlement Agreement and Release. (See ROA No. 29, Ex. 1.)