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7 Attorneys for Plaintiff Vanessa Bulcao,  
8 on behalf of herself, the proposed class(es),  
9 all others similarly situated, and on behalf  
10 of the general public

11 THE SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
12 FOR THE COUNTY OF SAN DIEGO

13 VANESSA BULCAO, an individual, on behalf of  
14 herself, the proposed class(es), all others similarly  
15 situated, and on behalf of the general public

16 Plaintiff,

17 v.

18 TAYLOR MADE GOLF COMPANY, INC.  
19 (d/b/a TaylorMade-adidas Golf Company), a  
20 Delaware corporation; and DOES 1 through 10,  
21 inclusive,

22 Defendants.

Case No. 37-2015-00028124-CU-OE-CTL

**NOTICE OF MOTION AND MOTION  
BY PLAINTIFF VANESSA BULCAO  
FOR AN ORDER:**

1. **CERTIFYING CLASS FOR  
PURPOSES OF CLASS ACTION  
SETTLEMENT;**
2. **GRANTING FINAL  
APPROVAL TO CLASS ACTION  
SETTLEMENT;**
3. **AWARDING ATTORNEYS'  
FEES AND COSTS TO CLASS  
COUNSEL;**
4. **APPROVING CLASS  
REPRESENTATIVE INCENTIVE  
AWARD;**
5. **AUTHORIZING PAYMENT TO  
CLAIMS ADMINISTRATOR; AND**
6. **DIRECTING  
CONSUMMATION OF SETTLEMENT  
AND DISTRIBUTION OF  
SETTLEMENT PROCEEDS**

[IMAGED FILE]

[CCP § 382 & CRC Rule 3.769]

Date: March 24, 2017  
Time: 1:30 p.m.  
Judge: Hon. Timothy Taylor  
Dept: 72

Complaint Filed: August 19, 2015  
Amended Complaint Filed: March 7, 2016

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

2 **PLEASE TAKE NOTICE THAT on March 24, 2017 at 1:30 p.m.**<sup>1</sup> in Department 72 of  
3 the above-entitled Court located at 330 West Broadway, San Diego, CA 92101, Plaintiff Vanessa  
4 Bulcao, on behalf of herself, the proposed class and all others similarly situated, will and hereby  
5 does move this Court for an order:

6 1. Granting final approval to Plaintiff's proposed class action settlement ("Class  
7 Settlement") with Defendant Taylor Made Golf Company, Inc. d/b/a TaylorMade-adidas Golf  
8 Company ("TMaG"), as set forth in the Stipulation of Settlement ("Settlement") submitted with  
9 Plaintiff's motion for preliminary approval, including a finding that the proposed settlement is fair,  
10 adequate, and reasonable;

11 2. Certifying a class, for purposes of settlement, of all persons who are or have been  
12 employed by TMaG as a non-exempt employee (i.e., salaried non-exempt and/or hourly) in the  
13 State of California at any time from August 11, 2011 through December 16, 2016 (the "Class");

14 3. Approving and authorizing payment of settlement claims administrator expenses to  
15 Phoenix Settlement Administrators, in the amount of \$9,250;

16 4. Awarding a service/enhancement payment in the amount of \$5,000 to Plaintiff  
17 Vanessa Bulcao as the "Class Representative";

18 5. Awarding attorneys' fees and litigation costs to Ross H. Hyslop and Pestotnik LLP  
19 as counsel for the Class Representative and the Class ("Class Counsel"), in the amount of  
20 \$276,553.57;

21 6. Authorizing payment to the Labor and Workforce Development Agency in the  
22 amount not to exceed \$5,000; and

23 7. Directing consummation of the Class Settlement and distribution of the Settlement  
24 proceeds;

25 8. Entering the proposed Final Judgment and Order as submitted concurrently  
26 herewith.

27 \_\_\_\_\_  
28 <sup>1</sup> By order of the Court dated December 16, 2016 (Dkt. 63), ¶ 6, Plaintiff was expressly permitted to file this motion for final approval on March 17, 2017.

1           This motion is and shall be based on C.C.P. § 382, California Rule of Court 3.769, this  
2 Notice of Motion and Motion, the accompanying Memorandum of Points and Authorities in  
3 support thereof, the Declarations of Ross H. Hyslop, Vanessa Bulcao, and Melissa Meade  
4 Plaintiff's First Amended Complaint, the Stipulation of Settlement, the Preliminary Approval  
5 Order, the proposed Final Judgment, and upon such other and further evidence as the Court may  
6 be presented at the time of the hearing.

7 March 17, 2017

Respectfully submitted,

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PESTOTNIK LLP

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By: s/ Ross H. Hyslop  
Ross H. Hyslop  
Attorneys for Plaintiff Vanessa Bulcao,  
on behalf of herself, the proposed class(es),  
all others similarly situated, and on behalf  
of the general public

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