

**Electronically Filed
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County of Santa Clara,
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Reviewed By: R. Walker
Case #18CV329690
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1 ROBBINS GELLER RUDMAN
& DOWD LLP
2 ELLEN GUSIKOFF STEWART (144892)
JAMES I. JACONETTE (179565)
3 655 West Broadway, Suite 1900
San Diego, CA 92101
4 Telephone: 619/231-1058
619/231-7423 (fax)
5 elleng@rgrdlaw.com
jamesj@rgrdlaw.com

6 BOTTINI & BOTTINI, INC.
7 FRANCIS A. BOTTINI, JR. (175783)
YURY A. KOLESNIKOV (271173)
8 7817 Ivanhoe Avenue, Suite 102
La Jolla, CA 92037
9 Telephone: 858/914-2001
858/914-2002 (fax)
10 fbottini@bottinilaw.com
ykolesnikov@bottinilaw.com

11 *Class Counsel*

12 [Additional counsel appear on signature page.]

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 COUNTY OF SANTA CLARA

15 MATT WOLTHER, Individually and on
16 Behalf of All Others Similarly Situated,
17 Plaintiff,

18 vs.

19 SHUBHAM MAHESHWARI, et al.,
20 Defendants.

) Lead Case No. 18CV329690
) (Consolidated with No. 18CV332463 and
) No. 18CV332644)

) CLASS ACTION

) PLAINTIFFS' NOTICE OF MOTION AND
) MOTION FOR FINAL APPROVAL OF
) CLASS ACTION SETTLEMENT AND
) APPROVAL OF PLAN OF ALLOCATION

21 DATE: April 21, 2022
22 TIME: 1:30 p.m.
23 DEPT: 1
JUDGE: Hon. Sunil R. Kulkarni
DATE ACTION FILED: June 8, 2018

1 TO: ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD

2 PLEASE TAKE NOTICE that on April 21, 2022, at 1:30 p.m., or as soon thereafter as the
3 matter may be heard in Department 1, the Courtroom of the Honorable Sunil R. Kulkarni, at the
4 Superior Court of California, County of Santa Clara, 191 North First Street, San Jose, California,
5 Plaintiffs, by and through their counsel, will, and hereby do, move for entry of a judgment and order: (i)
6 finally approving the settlement of this class action; and (ii) approving the Plan of Allocation of
7 settlement proceeds. This motion is based upon the Memorandum of Points and Authorities in Support
8 of Plaintiffs' Motion for Final Approval of Class Action Settlement and Approval of Plan of Allocation;
9 the Declaration of Ross. D. Murray; the previously-filed Joint Declaration of James I. Jaconette and
10 Francis A. Bottini, Jr. in Support of Class Representatives' Unopposed Motion for Preliminary
11 Approval of Class Action Settlement; the previously-filed Declaration of Virginia Geraci; the
12 previously-filed Declaration of Veronica Dyer; the Amended Stipulation of Settlement dated November
13 30, 2021; all other pleadings and matters of record; and such additional evidence or argument as may be
14 presented in support of the motion.

15 A proposed order will be submitted with Plaintiffs' reply submission on or before April 14,
16 2022.

17 DATED: February 7, 2022

Respectfully submitted,

18 ROBBINS GELLER RUDMAN
19 & DOWD LLP
20 ELLEN GUSIKOFF STEWART
21 JAMES I. JACONETTE



22 ELLEN GUSIKOFF STEWART

23 655 West Broadway, Suite 1900
24 San Diego, CA 92101
25 Telephone: 619/231-1058
26 619/231-7423 (fax)

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BOTTINI & BOTTINI, INC.
FRANCIS A. BOTTINI, JR.
YURY A. KOLESNIKOV
7817 Ivanhoe Avenue, Suite 102
La Jolla, CA 92037
Telephone: 858/914-2001
858/914-2002 (fax)

Class Counsel

HEDIN HALL LLP
DAVID W. HALL
Four Embarcadero Center, Suite 1400
San Francisco, CA 94104
Telephone: 415/766-3534
415/402-0058 (fax)

THORNTON LAW FIRM LLP
GUILLAUME BUELL
1 Lincoln Street
Boston, MA 02111
Telephone: 617/720-1333

Additional Counsel for Plaintiffs

1 **DECLARATION OF SERVICE BY EMAIL**

2 I, Marianne Maloney, am and was, at all times herein mentioned, a citizen of the United States
3 and a resident of the County of San Diego, over the age of 18 years, and not a party to or interested
4 party in the within action, and have a business address of 655 West Broadway, Suite 1900, San Diego,
5 California 92101.

6 I hereby declare that on February 7, 2022, I served the attached PLAINTIFFS’ NOTICE OF
7 MOTION AND MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND
8 APPROVAL OF PLAN OF ALLOCATION on the parties in the within action by emailing a copy to
9 the addresses below:

10 **COUNSEL FOR PLAINTIFFS:**

11 NAME	11 FIRM	11 EMAIL
12 James I. Jaconette 13 Ellen Gusikoff Stewart	12 ROBBINS GELLER RUDMAN 13 & DOWD LLP 14 655 West Broadway, Suite 1900 15 San Diego, CA 92101 16 Telephone: 619/231-1058 17 619/231-7423 (fax) 18 <i>Co-Lead Counsel for Plaintiffs</i>	12 jamesj@rgrdlaw.com 13 elleng@rgrdlaw.com
16 Francis A. Bottini, Jr. 17 Yury A. Kolesnikov	16 BOTTINI & BOTTINI, INC. 17 7817 Ivanhoe Avenue, Suite 102 18 La Jolla, CA 92037 19 Telephone: 858/914-2001 20 858/914-2002 (fax) 21 <i>Co-Lead Counsel for Plaintiffs</i>	16 fbottini@bottinilaw.com 17 ykolesnikov@bottinilaw.com
20 David W. Hall	20 HEDIN HALL LLP 21 Four Embarcadero Center, Suite 22 1400 23 San Francisco, CA 94104 24 Telephone: 415/766-3534 25 415/402-0058 (fax) 26 <i>Additional Counsel for Plaintiffs</i>	20 dhall@hedinhall.com
24 Guillaume Buell	24 THORNTON LAW FIRM LLP 25 1 Lincoln Street 26 Boston, MA 02111 27 Telephone: 617/720-1333 28 <i>Additional Counsel for Plaintiffs</i>	24 gbuell@tenlaw.com

1 **COUNSEL FOR DEFENDANTS:**

2

NAME	FIRM	EMAIL
Matthew W. Close Jonathan B. Waxman	O'MELVENY & MYERS LLP 400 South Hope Street, 18th Floor Los Angeles, CA 90071 Telephone: 213/430-6000 213/430-6407 (fax) <i>Attorneys for Defendants</i>	mclose@omm.com jwaxman@omm.com

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7 I declare under penalty of perjury that the foregoing is true and correct. Executed on February
8 7, 2022, at San Diego, California.

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11 MARIANNE MALONEY
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