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Attorneys for Plaintiffs and the Putative Class

(Additional counsel for Plaintiffs Listed on Signature Page)

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CURTIS MARKSON, MARK
MCGEORGE, CLOIS MCCLENDON,
and ERIC CLARK, individually and on
behalf of all others similarly situated,

Plaintiffs,

vs.

CRST INTERNATIONAL, INC., CRST
EXPEDITED, INC.; C.R. ENGLAND,
INC., WESTERN EXPRESS, INC.,
SCHNEIDER NATIONAL CARRIERS,
INC., SOUTHERN REFRIGERATED
TRANSPORT, INC., COVENANT
TRANSPORT, INC., PASCHALL
TRUCK LINES, INC., STEVENS
TRANSPORT, INC., and DOES 1-10,
inclusive,

Defendants.

Case No. 5:17-cv-01261-SB (SPx)

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Judge: Hon. Stanley Blumenfeld, Jr.

Date: April 1, 2022

Time: 8:30 a.m.

Location: Courtroom 6C
350 West 1st Street
Los Angeles, CA 90012

Discovery Cutoff Date: 7/2/2021

Pretrial Conference Date: TBD

Trial Date: TBD

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

NOTICE IS HEREBY GIVEN that, on April 1, 2022 at 8:30 a.m. or as soon thereafter as the matter may be heard, in Courtroom 6C of the United States District Court for the Central District of California, located at the United States Courthouse at 350 W. 1st Street, Los Angeles, California, before the Honorable Stanley Blumenfeld, Jr., pursuant to Federal Rules of Civil Procedure 23(e) and (g), Plaintiffs Curtis Markson, Mark McGeorge, Clois McClendon, and Eric Clark (“Plaintiffs”) individually and on behalf of all others similarly situated, will and do hereby move this Court for entry of an Order:

1. preliminarily certifying a class for purposes of a settlement between Plaintiffs and Defendant Stevens Transport, Inc.;
2. preliminarily appointing Plaintiffs as Class Representatives for purposes of settlement;
3. preliminarily appointing Mark M. Seltzer, Steven G. Sklaver, Matthew Berry, Krysta Kauble Pachman, and Ian M. Gore of Susman Godfrey L.L.P., William J. Gorham and Robert J. Wasserman of Mayall Hurley P.C., Craig J. Ackermann and Avi Kreitenberg of Ackermann & Tilajef, P.C., and Jonathan Melmed of Melmed Law Group, P.C. as Class Counsel for purposes of settlement;
4. preliminarily approving the settlement as fair, adequate, and reasonable, based upon the terms set forth in the Settlement Agreement, including payment by Stevens Transport of the amount of \$5,500,000.00;
5. preliminarily approving Service Awards of up to \$25,000.00 for each of the named Plaintiffs from the GSA in recognition of their significant service to the Settlement Class;
6. preliminarily approving Plaintiff’s Counsel’s request for an amount not in excess of one-fourth of the benefits created for the Class (that is, the value of the Settlement Fund), plus reimbursement of litigation costs incurred in litigating and resolving this case up to \$1,800,000.00.

- 1 7. preliminarily approving all administrative fees incurred in administering all class
- 2 notice and the settlement, including those fees incurred by the Settlement
- 3 Administrator;¹
- 4 8. setting a schedule to implement the settlements; and
- 5 9. ordering all of the Defendants to provide contact information for members of the
- 6 settlement class to the claims administrator for purposes of providing notice to
- 7 the class.

8 This motion is based upon the supporting Memorandum of Points and Authorities,
9 the Declaration of Jonathan Melmed, the Settlement Agreement, and the other papers
10 and exhibits filed herewith.

11 Stevens Transport, Inc. does not oppose entry of an Order filed herewith granting
12 preliminary approval of the proposed class action settlement and setting a final approval
13 and fairness hearing.

14 No other defendant opposes this motion being granted.

15 This motion is made following the conference of counsel pursuant to L.R. 7-3
16 which took place on February 11, 2022.

17 Respectfully submitted,

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19 Dated: March 2, 2022

By: /s/ Jonathan Melmed

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28 ¹ In order to mitigate the costs of notice and the administration of the settlement, the Plaintiffs shall endeavor, if practicable, to disseminate notice with any other settlements that have been or are reached in the Action at the time a separate motion to disseminate class notice is filed.

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