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TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on March 4, 2022, at 9:00 a.m., or as soon thereafter as the matter may be heard, in Department 6 of the Superior Court of California, County of Riverside, located at 4050 Main Street, Riverside, California 92501, Class Counsel and Class Representatives George and Judith Loya (the “Loyas”), Richard Ramos, Michael Richardson, and Shirley Petetan (hereinafter, “Plaintiffs” or “Class Representatives”), will move for an order:

1. Certifying the Settlement Class for purposes of settlement;
2. Appointing Plaintiffs as Class Representatives for purposes of settlement;
3. Appointing Wolf Haldenstein Adler Freeman & Herz LLP, Calcaterra Pollack LLP, McLaughlin & Stern LLP and Access Lawyers Group as Class Counsel for purposes of settlement;
4. Approving the class action settlement as fair, adequate, and reasonable based upon the terms set forth in the First Amended Settlement Agreement;
5. Awarding Class Counsel \$561,000.00 in attorneys’ fees and reimbursement of expenses of \$82,914.59 plus 33% of any monies to the Class obtained through the Bankruptcy Action (*In re: Renovate America, Inc., et al.*, Case No. 20-13172 (LSS) (Bankr. D. Del.)) through the Class Proof of Claim and any additional appropriate and reasonable expenses incurred; and
6. Approving the payment of Class Representative Awards to Plaintiffs in the total amount of \$20,000 (\$5,000 to each of three Class Representatives and jointly to the Loyas).

This motion is based upon:

- a. the Memorandum of Points and Authorities filed in support of the Motion for Award of Attorneys’ Fees, Reimbursement of Expenses, and Class Representative Awards, filed May 26, 2020;
- b. the Joint Declaration of Janine L. Pollack and Rachele R. Byrd in Support of: (1) Plaintiffs’ Motion for Final Approval of Class Action Settlement; and (2) Plaintiffs’ Motion for Attorneys’ Fees, Reimbursement of Expenses and Payment of Class Representative Awards, filed May 26, 2020 (the “Joint Declaration I” or “Joint Decl. I”);
- c. the May 26, 2020 Declaration of Cameron R. Azari, Esq. on Implementation and

1 Adequacy of Settlement Notices and Notice Plan;

2 d. the November 14, 2019 Declaration of Randall S. Newman (submitted with
3 Plaintiffs' Motion for Preliminary Approval of Class Action Settlement), attached to the Joint
4 Declaration I as Exhibit D;

5 e. the Declaration of Rachele R. Byrd in Support of Plaintiffs' Motion for Award of
6 Attorneys' Fees, Reimbursement of Expenses and Payment of Class Representative Awards, filed
7 May 26, 2020;

8 f. the Declaration of Janine L. Pollack in Support of Plaintiffs' Motion for Award of
9 Attorneys' Fees, Reimbursement of Expenses and Payment of Class Representative Awards, filed
10 May 26, 2020;

11 g. the Declaration of Lee S. Shalov in Support of Plaintiffs' Motion for Award of
12 Attorneys' Fees, Reimbursement of Expenses and Payment of Class Representative Awards, filed
13 May 26, 2020;

14 h. the Declaration of C. Mario Jaramillo in Support of Plaintiffs' Motion for Award
15 of Attorneys' Fees, Reimbursement of Expenses and Class Representative Awards, filed May 26,
16 2020;

17 i. the Declaration of Jason P. Sultzer in Support of Plaintiffs' Motion for Award of
18 Attorneys' Fees, Reimbursement of Expenses and Class Representative Awards, filed May 26,
19 2020;

20 j. Plaintiffs' Supplemental Brief in Further Support of Motion for Final Approval of
21 Class Action Settlement and Motion for Award of Attorneys' Fees, Reimbursement of Expenses,
22 and Class Representative Awards, filed June 15, 2020;

23 k. the Supplemental Declaration of Cameron R. Azari, Esq. on Implementation and
24 Adequacy of Settlement Notices and Notice Plan, filed June 15, 2020;

25 l. Plaintiffs' Second Supplemental Brief in Further Support of Motion for Final
26 Approval of Class Action Settlement and Motion for Award of Attorneys' Fees, Reimbursement
27 of Expenses, and Class Representative Awards, filed July 1, 2020;

28 m. the Second Supplemental Declaration of Cameron R. Azari, Esq. on

1 Implementation and Adequacy of Settlement Notices and Notice Plan, filed July 1, 2020;

2 n. Plaintiffs' Third Supplemental Brief in Further Support of Motion for Final
3 Approval of Class Action Settlement and Motion for Award of Attorneys' Fees, Reimbursement
4 of Expenses, and Class Representative Awards, filed July 13, 2020;

5 o. the Third Supplemental Declaration of Cameron R. Azari, Esq. on Implementation
6 and Adequacy of Settlement Notices and Notice Plan, filed July 13, 2020;

7 p. Plaintiffs' Fourth Supplemental Brief in Further Support of Motion for Final
8 Approval of Class Action Settlement and Motion for Award of Attorneys' Fees, Reimbursement
9 of Expenses, and Class Representative Awards, filed July 29, 2020;

10 q. the Fourth Supplemental Declaration of Cameron R. Azari, Esq. on Implementation
11 and Adequacy of Settlement Notices and Notice Plan, filed July 29, 2020;

12 r. Plaintiffs' Memorandum of Points and Authorities in Support of this Motion, filed
13 concurrently herewith;

14 s. the Joint Declaration of Janine L. Pollack and Rachele R. Byrd in Support of this
15 Motion, filed concurrently herewith (the "Joint Declaration II" or "Joint Decl. II");

16 t. the Second Amended Settlement Agreement filed concurrently herewith as Exhibit
17 A to the Joint Declaration II;

18 u. the Declaration of Cameron R. Azari, Esq. on Implementation and Adequacy of
19 Supplemental Settlement Notice Plan, filed concurrently herewith;

20 v. all files and records in this action; and

21 w. any argument and evidence which may be presented at the hearing on this motion.

22
23 DATED: February 24, 2022

By:


RACHELE R. BYRD

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