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15 *Attorneys for Plaintiff and*  
16 *Proposed Class Counsel*

17 **SUPERIOR COURT OF CALIFORNIA**  
18 **COUNTY OF SAN DIEGO**

19 HARLEY SEEGER, individually, on behalf of  
20 himself and all others similarly situated,

21 Plaintiff,

22 v.

23 P.F. CHANG'S CHINA BISTRO, INC., a  
24 Delaware Corporation; and DOES 1 through 20,  
25 inclusive,

26 Defendant.

Case No: 37-2017-00016131-CU-MC-CTL

**[E-FILE]**

**CLASS ACTION**

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

Date: July 12, 2019

Time: 1:30 p.m.

Dept.: C-69

Judge: Hon. Katherine Bacal

1 **TO THE HONORABLE KATHERINE BACAL, JUDGE OF THE SUPERIOR COURT:**

2 On February 22, 2019, this Court granted preliminary approval of the class action settlement in  
3 this matter and set a Final Fairness Hearing to be held on July 12, 2019 at 1:30 p.m. At the Final  
4 Fairness Hearing, or as soon thereafter as counsel can be heard in Department C-69 of the above-entitled  
5 Court, Plaintiff will and hereby does move for an Order Awarding Attorneys' Fees, Costs, and Incentive  
6 Award.

7 This motion is made on the grounds that Plaintiff and the Class are the successful parties and are  
8 entitled to recover fees under the Private Attorney General Doctrine, codified in California Code of Civil  
9 Procedure 1021.5, because Plaintiff's efforts have enforced an important right affecting the public  
10 interest, have conferred a significant benefit on the general public and/or large class of persons, and have  
11 imposed a financial burden on Plaintiff out of proportion to his individual stake in the matter. Defendant  
12 does not oppose this motion.

13 Class Counsel requests an award of \$358,000.00 in attorneys' fees and costs to be approved by  
14 this Court. Importantly, the requested fees and costs will be paid out separately and apart from any  
15 benefits paid to the Class. Plaintiff also requests an incentive award of \$5,000.00 as agreed to by  
16 Defendant, in recognition of his risk in commencing this case, his efforts in litigating this case, and his  
17 achievement in serving a public interest.

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1           Therefore, Plaintiff, on behalf of himself and the Class, submits this motion based upon the  
2 memorandum of points and authorities in support of the motion filed herewith, the concurrently filed  
3 declarations and exhibits attached thereto, and the records and files in this action, and such arguments as  
4 may be presented at the hearing on this motion.

5 Date: June 19, 2019

Respectfully submitted,

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