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Case #21CV384151
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Sophia M. Rios (SBN 305801)
BERGER MONTAGUE PC
401 B Street, Suite 2000
San Diego, CA 92101
Tel: (619) 489-0300
srios@bm.net

Shanon J. Carson*
Glen L. Abramson*
Jeffrey L. Osterwise*
Amey J. Park*
BERGER MONTAGUE PC
1818 Market Street, Suite 3600
Philadelphia, PA 19103
Tel: (215) 875-4656
scarson@bm.net
gabramson@bm.net
josterwise@bm.net
apark@bm.net
*admitted *pro hac vice*

Attorneys for Plaintiffs and the Settlement Class

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA**

MAX WEISS, LEZLEY HOLMES,
SEBASTIEN TARDIF, and JOHN
MACZYNSKI, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

SUNPOWER CORPORATION,
Defendant.

Case No.: 21-cv-384151

CLASS ACTION

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

Hon. Sunil R. Kulkarni

Date: March 24, 2022

Time: 1:30 PM

Location: Department 1

1 TO ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on March 24, 2022 at 1:30 p.m., or as soon thereafter as the matter
3 may be heard, in the Superior Court of California for the County of Santa Clara, 191 North First Street,
4 San Jose, CA 95113, Department 1, Plaintiffs and Class Representatives Max Weiss, Lezley Holmes,
5 Sebastien Tardif, and John Maczynski (collectively, "Class Representatives") will move this Court for
6 an order:

7 1. Granting final approval of the Settlement of this class action as set forth in the Settlement
8 Agreement (Ex. A to the Rios Declaration filed October 29, 2021 ("Settlement Agreement" or
9 "Settlement"));

10 2. Overruling all timely objections to the Settlement;

11 3. Confirming the certification of the Settlement Class for settlement purposes pursuant to
12 California Code of Civil Procedure § 382;

13 4. Confirming the appointment of Plaintiffs as Class Representatives for the Settlement
14 Class;

15 5. Confirming the appointment of Berger Montague PC as Class Counsel for the Settlement
16 Class;

17 6. Entering Judgment consistent with the terms of the Settlement Agreement; and

18 7. Setting a compliance hearing approximately twelve (12) months after the Effective Date
19 of the Settlement.

20 This motion is based on this Notice, the supporting Memorandum of Points and Authorities, the
21 Declaration of Shanon J. Carson, the Declaration of Settlement Administrator A.B. Data, Ltd., the
22 pleadings and papers on file in this action, and any other matter of which this Court may take notice.

23 Respectfully submitted,

24 BERGER MONTAGUE PC

25 Dated: March 3, 2022

26 /s/ Sophia M. Rios
27 Sophia M. Rios
28 401 B Street, Suite 2000
San Diego, CA 92101

Tel: (619) 489-0300
srios@bm.net

Attorneys for Plaintiffs and the Settlement Class

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