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**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego  
**09/06/2019** at 04:14:00 PM  
Clerk of the Superior Court  
By Carolina Miranda, Deputy Clerk

6 *Attorneys for Plaintiff and the Settlement Class*

7  
8 **SUPERIOR COURT OF CALIFORNIA**  
9 **COUNTY OF SAN DIEGO**  
10

11 MONICA RAEL and ALYSSA HEDRICK, on  
12 behalf of themselves and all others similarly  
13 situated,

14 Plaintiffs,

15 v.

16 RTW RETAILWINDS, INC., a Delaware  
17 corporation, NEW YORK & COMPANY  
STORES, INC., a New York corporation, and  
DOES 1-20, inclusive,

18 Defendants.

Case No: 37-2019-00003850-CU-MC-CTL

**[E-FILE]**

**CLASS ACTION**

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

Date: September 27, 2019

Time: 9:00 a.m.

Dept.: C-73

1 **TO THE HON. JOEL R. WOHLFEIL, JUDGE OF THE SAN DIEGO SUPERIOR COURT:**

2 On May 23, 2019, this Court granted preliminary approval of the class action settlement agreement  
3 in this matter and set a Final Fairness Hearing to be held on September 27, 2019 at 9:00 a.m. At the Final  
4 Fairness Hearing, or as soon thereafter as counsel can be heard in Department C-73 of the above-entitled  
5 Court, Plaintiff will and hereby does move for an Order Awarding Attorneys' Fees, Costs, and Incentive  
6 Award.

7 Class Counsel requests an award of \$600,000.00 in attorneys' fees and costs to be approved by  
8 this Court. Importantly, the requested fees and costs will be paid out separately and apart from any benefits  
9 paid to the Class. Plaintiff also requests an incentive award of \$4,000 each to Plaintiffs, MONICA RAEL  
10 and ALYSSA HEDRICK, as agreed to by Defendant, in recognition of their risk in commencing this case  
11 and her efforts in litigating this case.

12 Therefore, Plaintiffs, on behalf of themselves and the Class, submit this motion based upon the  
13 memorandum of points and authorities in support of the motion filed herewith, the concurrently filed  
14 declarations and exhibits attached thereto, and the records and files in this action, and such arguments as  
15 may be presented at the hearing on this motion.

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17  
18 Date: September 6, 2019

Respectfully submitted,

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21 /s/ Todd D. Carpenter  
Todd D. Carpenter

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