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17 *Counsel for Claimants and the Proposed Classes*

18 **NATIONAL ARBITRATION AND MEDIATION**

19 TERESA MEDINA and MORGAN THOMSON,  
20 Claimants,  
21 v.  
22 SPENCER GIFTS D/B/A SPIRIT HALLOWEEN,  
23 Respondent.

NAM ID No. 238718

**NOTICE OF MOTION AND MOTION  
FOR ATTORNEYS' FEES, COSTS,  
AND SERVICE AWARDS**

Arbitrator David B. Van Etten

1 For the reasons set forth in the Memorandum of Law in Support of Claimants’  
2 Unopposed Motion for Attorneys’ Fees, Costs, and Service Awards, and in the Declaration of  
3 Christopher M. McNerney in Support of Claimants’ Unopposed Motion for Attorneys’ Fees,  
4 Costs, and Service Awards (“McNerney Decl.”) and the supporting exhibits attached thereto,  
5 Claimants respectfully request that the Arbitrator enter an Order <sup>1</sup>:

6 (1) Granting the Motion;

7 (2) Approving payment of attorneys’ fees in the amount of \$601,666.67, to be paid from  
8 the Gross Settlement Fund in accordance with the terms of the Settlement Agreement;

9 (3) Approving payment of costs and expenses incurred by Class counsel in the amount of  
10 \$12,426.19, to be paid from the Gross Settlement Fund in accordance with the terms  
11 of the Settlement Agreement; and

12 (4) Approving payments of a service awards to Claimants Teresa Medina and Morgan  
13 Thomson in the amount of \$10,000 each, to be paid from the Gross Settlement Fund  
14 in accordance with the terms of the Settlement Agreement.

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<sup>1</sup> Class counsel will submit a Proposed Order for this Motion along with the Motion for Final Settlement Approval, which will be filed by February 2, 2023.

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Dated: November 28, 2022

By: /s/ Christopher M. McNerney

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