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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 CITY AND COUNTY OF SAN FRANCISCO

10 CALIFORNIA DENTAL ASSOCIATION, a
California Corporation;
11 RICHARD W. BARNES, D.D.S.;
ROBERT E. REED, D.D.S.;
12 DEAN SCHWEITZER, D.D.S.;
GERALD MIDDLETON, D.D.S.;
13 WHITNEY JOHNSON, D.D.S.;
TERRENCE Y. LAU, D.D.S.,
14 BARBARA M. HAWTHORNE, D.D.S.,
individually and on behalf of all others
15 similarly situated,

16 Plaintiffs,

17 vs.

18 DELTA DENTAL OF CALIFORNIA, a
California Corporation,

19 Defendant.
20

No.: CGC-14-538849

**NOTICE OF MOTION AND MOTION
FOR SUPPLEMENTAL ATTORNEYS'
FEES**

Hearing Date: November 16, 2018

Time: 11:30 a.m.

Judge: Hon. Mary E. Wiss

Dept.: 305

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on November 16, 2018 at 11:30 a.m. or as soon thereafter
3 as the matter may be heard in Department 305 of the above-entitled Court, located at 400
4 McAllister Street, San Francisco, California, Plaintiffs California Dental Association, Richard W.
5 Barnes, Robert E. Reed, Dean Schweitzer, Gerald Middleton, Whitney Johnson, Terrence Y. Lau
6 and Barbara M. Hawthorne will, and do hereby move for an Order approving payment of
7 supplemental attorneys' fees in the amount of \$200,000, to be paid from the interest that has
8 accrued on the Settlement Fund to date. Plaintiffs seek this Order pursuant to California Code of
9 Civil Procedure 1021 and the additional authority cited in the Memorandum of Points and
10 Authorities filed herewith.

11 This Motion is based upon this Notice of Motion, the accompanying Memorandum of Points
12 and Authorities, and the declarations of Paul Alexander and George Langendorf, as well as all of
13 the pleadings and papers on file in this action, all admissible evidence presented at the hearing, oral
14 argument by counsel at the hearing, and upon such matters as may be presented to the Court at the
15 time of the hearing.

16 **V. CONCLUSION**

17 For the foregoing reasons, Plaintiffs respectfully request that the Court grant Plaintiffs'
18 Motion for supplemental attorneys' fees in the amount of \$200,000, to be paid from the interest that
19 has accrued on the Settlement Fund to date.
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21 Dated: October 24, 2018

ARNOLD & PORTER KAYE SCHOLER
LLP

24 By: /s/ Paul Alexander
25 Paul Alexander

26 Attorneys for Plaintiffs and the Class
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