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14 Attorneys for Plaintiffs and the Class

15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**

17
18 ALFRED SALAS and GLORIA ORTEGA,
individually, and on behalf of a class of
19 similarly situated individuals,

20 Plaintiffs,

21 vs.

22 TOYOTA MOTOR SALES, U.S.A., INC., a
California corporation,

23 Defendant.
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27
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Case No.: 15-cv-08629-HDV-E

CLASS ACTION

**SUPPLEMENTAL MEMORANDUM OF
LAW IN FURTHER SUPPORT OF CLASS
ACTION SETTLEMENT**

Final Fairness Hearing

Date: October 30, 2024

Time: 10:00 a.m.

Place: Courtroom 10B

Judge: Hon. Hernán D. Vera

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1 As stated in this Court’s Order Granting Preliminary Approval of Class Settlement¹, the
2 Parties were ordered to submit a Supplemental Memorandum of Law in Further Support of the
3 Settlement by October 25, 2024. ECF No. 273, ¶ 36.

4 After the filing of Plaintiffs’ Motion for Final Approval of Class Action Settlement (ECF
5 No. 274), Defendant’s Response in Support of Notice of Motion and Motion for Settlement
6 Approval (ECF No. 275), and Plaintiffs’ Motion for Attorney Fees, Costs, and Class Representative
7 Service Awards (ECF No. 276), all papers were posted to the Settlement website. Supplemental
8 Declaration of Cameron R. Azari, Esq., ¶ 21. After that time, only one additional request for
9 exclusion was filed with the Settlement Notice Administrator for a total of two requests for
10 exclusion. Additionally, and significantly, zero objections have been filed. The deadline to submit
11 requests for exclusion and objections to the Settlement was September 30, 2024.

12 As of October 8, 2024, the Notice Plan has reached approximately 98% of the identified
13 Settlement Class with a frequency of three times. Supplemental Declaration of Cameron R. Azari,
14 Esq., ¶ 7. Remarkably, out of approximately 368,000 Class Members no objections were made.
15 Additionally, only two Class Members submitted requests for exclusion.

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28 ¹ Unless indicated, all capitalized terms used herein have the same definitions as those defined by the Settlement Agreement (ECF No. 274-3).

1 With 98% of the Class reached, only 0.0005% of the Class requesting to be excluded, and
2 no Class Members having objected, it is clear that the Class overwhelmingly favors this Settlement.
3 *See Eisen v. Porsche Cars N. Am., Inc.*, 2014 U.S. Dist. LEXIS 14301 (C.D. Cal. Jan. 30, 2014) at
4 *15 (“Although 235,152 class notices were sent, only 243 class members have asked to be
5 excluded”); *Browne v. Am. Honda Motor Co.*, No. cv 09-06750 MMM (DTBx), 2010 U.S. Dist.
6 LEXIS 145475, at *49 (C.D. Cal. July 29, 2010) (finding favorable reaction where 0.65% of noticed
7 class members opted out); *Milligan v. Toyota Motor Sales, U.S.A.*, No. 09-05418-RS, 2012 U.S.
8 Dist. LEXIS 189782, at *25 (N.D. Cal. Jan. 6, 2012) (finding favorable reaction where 0.06% of
9 noticed class members opted out). As such, Final Approval of the Class Settlement should be
10 granted.

11 DATED: October 25, 2024

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13 By: /s/ Haley G. Clark

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