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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 STEPHENIE ROSE, on behalf of herself and all)
11 others similarly situated,)
12 Plaintiffs,)

13 v.)

14)
15 BANK OF AMERICA CORPORATION,)
and FIA CARD SERVICES, N.A.,)
16 Defendants.)
17)

Case No. 5:11-cv-02390-EJD (PSG)

**NOTICE OF MOTION AND MOTION FOR
AN AWARD OF ATTORNEYS' FEES
UNDER FRCP RULE 54**

Date: February 20, 2015
Time: 9:00 a.m.
Judge: Hon. Edward J. Davila

18 _____)
19 CAROL DUKE AND JACK POSTER,)
20 on behalf of themselves and all others)
similarly situated,)
21 Plaintiffs,)

22 v.)

23 BANK OF AMERICA, N.A.; BANK OF)
24 AMERICA CORPORATION;)
AND FIA CARD SERVICES, N.A.,)
25 Defendants.)
26)

Case No. 5:12-cv-04009-EJD (PSG)

1 PLEASE TAKE NOTICE James Kirby and Susan House move this Honorable Court for an
2 award of attorneys' fees and incentive awards for the successful assertion of their objections (Dkt.No.
3 81). Objectors seek an award of fees equal to 7% of the additional \$5,618,732.09 that will be awarded
4 to class members as a result of the court's Order Granting Motion For Final Approval Of Settlement;
5 Granting In Part And Denying In Part Motion For Attorney's Fees And Costs (Dkt. No. 108). This
6 Motion is supported by the attached Memorandum Of Law In Support Of Motion For FRCP Rule 54
7 Attorney Fees.

8 Kirby and House consent to disposition of this motion on the papers.

9
10 Dated: September 16, 2014

By: /s/ Joseph Darrell Palmer
Joseph Darrell Palmer

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12 Attorney for Objectors James Kirby and Susan House

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14 **CERTIFICATE OF SERVICE**

15 I certify that on September 16, 2014, I electronically filed the foregoing with the Clerk of the
16 Court of the United States District Court for the Southern District of California by using the USDC
17 CM/ECF system. I certify that all registered CM/ECF users will be served via the USDC CM/ECF
system.

18 /s/ Joseph Darrell Palmer
Joseph Darrell Palmer