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8 Attorneys for Plaintiff JAMES KNAPP

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

14 JAMES KNAPP, individually and on behalf of
all others similarly situated,

15 Plaintiff,

16 v.

17 ART.COM, INC., a California corporation;
18 and DOES 1 through 50, inclusive,

19 Defendants.

CASE NO.: 4:16-cv-00768-WHO

[Hon. William H. Orrick]

**PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF
SETTLEMENT**

Date: April 12, 2017
Time: 2:00 p.m
Courtroom: 2

Complaint filed: February 16, 2016
Trial Date: January 8, 2010

NOTICE OF MOTION AND MOTION

23 PLEASE TAKE NOTICE THAT on April 12, 2017 at 2:00 p.m., or as soon thereafter as
24 the matter may be heard, in the Courtroom of the Honorable William H. Orrick, of the United
25 States District Court for the Northern District of California, located at 450 Golden Gate Avenue,
26 San Francisco, California 94102, Courtroom 2, Plaintiff James Knapp, on behalf of himself and all
27 others similar situated, will and hereby does move, pursuant to Federal Rule of Civil Procedure
28 23(e), for an Order preliminarily approving a class-wide settlement of this matter pursuant to the

1 Settlement Agreement attached as Exhibit "1" to the Declaration of Jason H. Kim filed
2 concurrently with this Motion and certifying a settlement-only class defined as follows:

3 All persons, who on or after February 16, 2012 to June 9, 2016, purchased any product
4 from Art.com through the e-commerce websites www.art.com, www.posters.com, and/or
5 www.allposters.com pursuant to a site-wide all products sale by entering a coupon code,
and whose product was shipped to an address in the United States.

6 Plaintiff's motion is based upon this Notice of Motion and Motion, the accompanying
7 Memorandum of Points and Authorities, the Declarations of Jason H. Kim, Gary Takemoto, and
8 James R. Prutsman, including the Exhibits to those Declarations, the Proposed Order submitted
9 herewith, the pleadings and files in this matter, and such other matters as may be presented to the
10 Court in connection with this Motion.

11 DATED: March 2, 2017 SCHNEIDER WALLACE COTTRELL KONECKY
12 WOTKYNS LLP

13 By: /s/ Jason H Kim
14 Todd M. Schneider
15 Jason H. Kim
16 Kyle G. Bates

17 THE WAND LAW FIRM
18 Aubry Wand

19 *Attorneys for Plaintiff*

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above including the referenced attachments was sent this 2d day of March 2017 via ECF to all ECF participants of record and that all counsel of record are ECF participants. Unredacted versions were emailed to counsel for Defendant on this same day.

/s/ Jason H. Kim