

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
AT TOPEKA

JIN NAKAMURA,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

WELLS FARGO BANK,
NATIONAL ASSOCIATION
d/b/a WELLS FARGO DEALER
SERVICES, INC.,

Defendant.

Case No. 5:17-cv-04029-DDC-GEB

Fairness Hearing: **May 15, 2019 at 9:00 a.m.**

**CLASS REPRESENTATIVE’S MOTION FOR
FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiff and Class Representative, Jim Nakamura (“Class Representative” or “Mr. Nakamura”), on behalf of himself and all others similarly situated, respectfully files this Motion for Final Approval of Class Action Settlement, and hereby moves the Court for final approval of the proposed class action Settlement and for approval of an Incentive Award.¹

Class Representative bases this Motion on the Settlement Agreement, the applicable law, and all pleadings and records on file in this matter, which are respectfully incorporated by reference as if set forth fully herein. Class Representative also bases this Motion on his Memorandum of Law in Support of the Motion and the Combined Index of Exhibits, to which all exhibits referenced herein and in the Memorandum are attached. Both the Memorandum and

¹ Capitalized terms not otherwise defined herein shall have the meaning given to them in the Settlement Agreement (Dkt. No. 127-1).

Combined Index of Exhibits are filed contemporaneously with this Motion.

Class Representative respectfully requests that the Court enter an order granting:

- (1) final judgment;
- (2) final certification of the Settlement Class;
- (3) final approval of the Settlement as fair, reasonable, and adequate;
- (4) final approval of the Notice provided to the Settlement Class Members;
- (5) final appointment of Rex A. Sharp, Ryan C. Hudson, and Scott B. Goodger of Rex A. Sharp, P.A., Bryce B. Bell and Mark W. Schmitz of Bell Law Firm, LLC, and A. Scott Waddell of Waddell Law Firm, LLC, as Class Counsel;
- (6) \$76,875 as an incentive award to the Class Representative;
- (7) approval of the distribution of the Net Settlement Amount as set forth in the Settlement Agreement and Distribution Plan; and
- (8) any further relief to which the Court finds Class Representative and the Settlement Class entitled.

Respectfully submitted,

REX A. SHARP, P.A.

/s/ Rex A. Sharp

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Class Counsel

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing was filed using the Court's CM/ECF filing system, which automatically sends notice of filing to all attorneys of record, on April 1, 2019.

/s/ Rex Sharp
Rex A. Sharp