

1 James R. Patterson, State Bar No. 211102  
2 Allison H. Goddard State Bar No. 211098  
3 PATTERSON LAW GROUP  
4 1350 Columbia Street, Suite 603  
5 San Diego, CA 92101  
6 Tel: (619) 756-6990  
7 Fax: (619) 756-6991  
8 jim@pattersonlawgroup.com  
9 ali@pattersonlawgroup.com

10 Alisa A. Martin, State Bar No. 224037  
11 AMARTIN LAW  
12 600 West Broadway, Suite 700  
13 San Diego, CA 92101  
14 Telephone: (619) 308-6880  
15 Facsimile: (619) 308-6881  
16 alisa@amartinlaw.com

17 Attorneys for Plaintiff and the Class

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

KEVIN PARK, on behalf of himself and all  
others similarly situated,

Plaintiff,

vs.

WEBLOYALTY.COM, INC., a Delaware  
corporation; DOES 1 through 50, inclusive,

Defendants.

Case No. 3:12-CV-01380-LAB-JMA

**CLASS ACTION**

**NOTICE OF MOTION AND MOTION FOR  
CLASS CERTIFICATION**

Date: October 1, 2018  
Time: 11:30 a.m.  
Ctrm: 14A  
Honorable Larry A. Burns

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on October 1, 2018, at 11:30 a.m., at the United  
3 States District Court for the Southern District of California, located at 333 West  
4 Broadway, San Diego, California 92101, Courtroom 14A, Plaintiffs will and hereby do  
5 move before the Honorable Larry A. Burns, for an order:

6 1. Certifying the following classes under Fed. R. Civ. P. 23(b)(3):

7 a. The California Class, which includes all persons residing in California  
8 who (1) did not directly provide their credit card or debit card account  
9 number, address, or contact information to Webloyalty, and (2) had their  
10 credit or debit card charged, or bank account debited, by Webloyalty for a  
11 Complete Savings membership, or any other club membership program  
12 maintained by Webloyalty, including Reservation Rewards, Travel Values  
13 Plus, WalletShield, Buyer Assurance, and Shopper Discounts & Rewards,  
14 at any time since October 1, 2008, is certified under Fed. R. Civ. P.  
15 23(b)(3);

16 b. The California Post-ROSCA Class, which includes all persons residing  
17 in California who (1) did not directly provide their credit card or debit  
18 card account number, address, or contact information to Webloyalty, and  
19 (2) had their credit or debit card charged, or bank account debited, by  
20 Webloyalty for a Complete Savings membership, or any other club  
21 membership program maintained by Webloyalty, including Reservation  
22 Rewards, Travel Values Plus, WalletShield, Buyer Assurance, and  
23 Shopper Discounts & Rewards, at any time since October 1, 2008, and  
24 who were charged by Webloyalty for membership fees after the  
25 enactment of ROSCA on December 29, 2010, is certified under Fed. R.  
26 Civ. P. 23(b)(3); and

27 c. The Debit Card Class, which includes all persons residing in the  
28 United States who (1) did not directly provide their debit card account

1 number, address, or contact information to Webloyalty, and (2) had their  
2 debit card charged, or bank account debited, by Webloyalty for a  
3 Complete Savings membership, or any other club membership program  
4 maintained by Webloyalty, including Reservation Rewards, Travel Values  
5 Plus, WalletShield, Buyer Assurance, and Shopper Discounts & Rewards,  
6 at any time since October 1, 2008, is certified under Fed. R. Civ. P.  
7 23(b)(3).

8 2. Appointing Kevin Park, as the Class Representatives; and

9 3. Appointing the law firms of Patterson Law Group, APC, and AMartin Law  
10 as Class Counsel.

11 This motion is based on this Notice and Motion, the supporting Memorandum of  
12 Points & Authorities; the Declarations of James R. Patterson and Kevin Park; the  
13 Appendix of Exhibits; the pleadings on file in this action; and any other matters, evidence  
14 and arguments that may be presented to the Court before or at the hearing on this Motion.

15  
16 Dated: June 29, 2018

PATTERSON LAW GROUP

17 By: /s/ James R. Patterson

18  
19 James R. Patterson  
20 Allison H. Goddard  
21 1350 Columbia Street, Suite 603  
22 San Diego, CA 92101  
23 Tel: (619) 756-6990  
24 Fax: (619) 756-6991  
25 jim@pattersonlawgroup.com  
26 ali@pattersonlawgroup.com

27  
28 Attorneys for Plaintiff and the Class

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served June 29, 2018, with a copy of this document via the Court’s CM/ECF system. I certify that all parties in this case are represented by counsel who are CM/ECF participants.

/s/ James R. Patterson

---