

JCL LAW FIRM, APC

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Attorneys for Plaintiff ALISSA WHITNEY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN BERNARDINO

ALISSA WHITNEY, an individual, on behalf of
herself, and on behalf of all persons similarly
situated,

PLAINTIFF,

vs.

FIVE J'S FAMILY ENTERPRISES L.P., a
California Limited Partnership, and Does 1
through 50, Inclusive,

DEFENDANTS.

Case No. CIVSB2129063

**NOTICE OF MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND PAGA
SETTLEMENT**

Date: June 7, 2023

Time: 10:00 a.m.

Judge: Hon. David Cohn

Dept.: S-26

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on June 7, 2023, at 10:00 a.m., or as soon thereafter as counsel
3 may be heard, in Department S-26 of the San Bernardino Superior Court, the Honorable Judge David
4 Cohn presiding, plaintiff ALISSA WHITNEY will, and hereby does, move this Court to:

5 1. Preliminarily approve the settlement described in the Class, Collective, and
6 Representative Settlement Agreement (“Agreement”) attached as Exhibit A to the Declaration of Jean-
7 Claude Lapuyade filed concurrently herewith;

8 2. Conditionally certify the Settlement Class;

9 3. Approve distribution of the proposed Notice of Class Action Settlement to the
10 Settlement Class;

11 4. Appoint Plaintiff ALISSA WHITNEY as the Class Representative;

12 5. Appoint the JCL Law Firm, APC and Zakay Law Group, APLC as Class Counsel; and

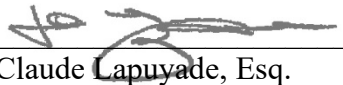
13 7. Set a hearing date for final approval of the settlement.

14 This Motion is based upon: (1) this Notice of Motion; (2) the Memorandum of Points and
15 Authorities in Support of Motion for Preliminary Approval of Class Action and PAGA Settlement; (3)
16 the Declaration of Jean-Claude Lapuyade, Esq.; (4) the Declaration of Shani O. Zakay, Esq.; (5) the
17 Declaration of Alissa Whitney; (6) the Class, Collective, and Representative Settlement Agreement
18 and exhibit attached thereto; (7) the [Proposed] Order Granting Preliminary Approval of Class Action
19 and PAGA Settlement and exhibits attached thereto; (8) the records, pleadings, and papers filed in this
20 action; and (9) upon such other documentary and oral evidence or argument as may be presented to
21 the Court at or prior to the hearing of this Motion.

22 As this Motion is unopposed, the Parties respectfully request relief from the page limit
23 requirement set by California Rules of Court, Rule 3.1113(d).

24
25 Dated: May 15, 2023

JCL LAW FIRM, APC

26 By: 
27 Jean-Claude Lapuyade, Esq.
28 Attorneys for Plaintiff