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Attorneys for Plaintiff MICHAEL HILLSTROM

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF NAPA

MICHAEL HILLSTROM, an individual, on
behalf of himself and on behalf of all persons
similarly situated,

Plaintiff,

v.

CONSTELLATION BRANDS, INC., a
Delaware Corporation; TPWC, INC., a
Delaware Corporation; ROBERT MONDAVI
WINERY, a California Corporation;
CONSTELLATION BRANDS U.S.
OPERATIONS, INC., a New York
Corporation; FRANCISCAN VINEYARDS,
INC., a Delaware Corporation;
CONSTELLATION WINES U.S., INC., a
Corporation; and DOES 1-50, Inclusive,

Defendants.

Case No. 22CV000006

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

Date: November 30, 2023

Time: 8:30 a.m.

Judge: Hon. Cynthia P. Smith

Dept.: A

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

2 PLEASE TAKE NOTICE that on **November 30, 2023, at 8:30 a.m.**, or as soon thereafter as
3 counsel may be heard, in Department A of the Napa County Superior Court, the Honorable Judge
4 Cynthia P. Smith presiding, plaintiff Michael Hillstrom will, and hereby does, move this Court to:

5 1. Preliminarily approve the settlement described in the Class Action and PAGA
6 Settlement Agreement (“Agreement”) attached as Exhibit 1 to the Declaration of Jean-Claude
7 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 attached as Exhibit A to the Agreement;

11 4. Appoint Plaintiff Michael Hillstrom as the Class Representative;

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

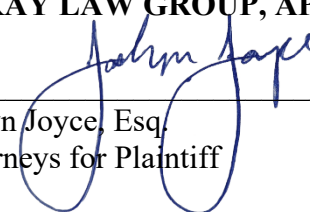
13 6. Set a hearing date for final approval of the settlement.

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 Michael Hillstrom; (6) the Declaration of Claims Administrator Representative Bryn
18 Bridley; (7) the Class Action and PAGA Settlement Agreement and exhibit attached thereto; (8) the
19 [Proposed] Order Granting Preliminary Approval of Class Action and PAGA Settlement and exhibits
20 attached thereto; (9) the records, pleadings, and papers filed in this action; and (10) upon such other
21 documentary and oral evidence or argument as may be presented to the Court at or prior to the hearing
22 of this Motion.

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

25 Dated: November 1, 2023

ZAKAY LAW GROUP, APLC

26 By: 
27 Jaclyn Joyce, Esq.
28 Attorneys for Plaintiff