

JCL LAW FIRM, APC

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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SACRAMENTO

DAVID EZELL, an individual, on behalf of
himself and on behalf of all persons similarly
situated,

Plaintiffs,

vs.

DIAB LEASING, INC., a California
Corporation; and DOES 1-50, Inclusive.

Defendants.

Case No. 34-2021-00305329

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

Date: January 5, 2024

Time: 9:00 a.m.

Judge: Hon. Lauri A. Damrell

Dept.: 28

1 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 YOU ARE HEREBY NOTIFIED THAT at 9:00 a.m. on January 5, 2024, or as soon
3 thereafter as the matter can be heard, in Department 28 of the above-entitled Court, before the
4 Honorable Judge Lauri A. Damrell, Plaintiff DAVID EZELL ("Plaintiff") will apply for an order
5 granting (1) Final Approval of the Class Action and PAGA Settlement, and (2) Entry of the Final
6 Approval Order and Judgment.

7 This Motion is brought in accordance with the Preliminary Approval Order dated August
8 25, 2023, and California Rules of Court, rule 3.769. This Motion will be based on this notice, the
9 accompanying points and authorities, the First Amended Stipulation of Settlement of Class Action
10 and PAGA Claims and Release of Claims (hereinafter the "Amended Agreement"), the Declaration
11 of Jean-Claude Lapuyade, the Declaration of Shani O. Zakay, the Declaration of the Plaintiff, the
12 Declaration of Nicole Bench and the complete files and records in this action.

13 Pursuant to Local Rule 1.06 (A), the court will make a tentative ruling on the merits of this
14 matter by 2:00 p.m., the court day before the hearing. The complete text of the tentative rulings for
15 the department may be downloaded from the public portal. If you do not have online access, you
16 may call the dedicated phone number for the department as referenced in the local telephone
17 directory, between the hours of 2:00 p.m. and 4:00 p.m. on the court day before the hearing and
18 listen to the tentative ruling. If you do not call the court and the opposing party by 4:00 p.m. the
19 court day before the hearing, no hearing will be held.

20 Because all parties have agreed to the proposed class settlement and have met and conferred
21 regarding the motion, this motion is not opposed by Defendant. To date, there have been no
22 objections submitted by the Class.

23 Respectfully submitted,

24
25 Dated: December 12, 2023

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26 By: Perssia Razma
27 Perssia Razma, Esq.
28 Attorney for Plaintiff