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Attorneys for PLAINTIFFS

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

Hearing Date: May 5, 2023
Hearing Time: 9:00 a.m.
Department: 28

Trial Date: None
Action Filed: July 30, 2021

Reservation ID #: 2705472

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

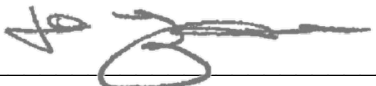
4 YOU ARE HEREBY NOTIFIED THAT at 9:00 a.m. on May 5, 2023, or as soon thereafter
5 as the matter can be heard, in Department 28 of the above entitled Court, before the Honorable
6 Lauri A. Damrell, Plaintiff DAVID EZELL ("Plaintiff") will apply for an order (1) preliminary
7 approving the proposed settlement of this Class and PAGA action against Defendant DIAB
8 LEASING, INC. ("Defendant"); (2) approving the form and method for providing class-wide
9 notice; (3) directing that notice of the proposed settlement be given to the class; and (4) scheduling
10 a final approving hearing date to consider Plaintiff's motion for final approval of the settlement and
11 entry of the Judgment, and Plaintiff's motion for approval of attorneys' fees and litigation expenses.

12 This motion for preliminary approval of the class and PAGA settlement is brought pursuant
13 to California Rules of Court, rule 3.769. Plaintiff's motion will be based on this notice of motion,
14 the accompanying points and authorities, the Declaration of Jean-Claude Lapuyade, Esq., the
15 Declaration of Shani O. Zakay, Esq., the Declaration of David Ezell, the Stipulation of Settlement
16 of Class Action Claims and Release of Claims ("Agreement") between the parties, and the complete
17 files and records in this action. All parties have agreed to the proposed class and PAGA settlement
18 and have met and conferred regarding the motion; therefore, this motion is not opposed by
19 Defendant.

20 Respectfully submitted,

21 DATED: April 13, 2023

22 **JCL Law Firm, APC**

23 By: 

24 Jean-Claude Lapuyade
25 Attorney for Plaintiff
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