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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN MATEO

EMILY TOLOSA, on behalf of herself and on
behalf of all persons similarly situated,

Plaintiffs,

v.

KENSINGTON REDWOOD CITY LLC, a
Virginia Limited Liability Company;
KENSINGTON SENIOR LIVING, LLC, a
Virginia Limited Liability Company; and
DOES 1-50, Inclusive,

Defendants.

Case No. 21-CV-03030

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

Date: September 21, 2023

Time: 2:00 p.m.

Judge: Hon. Susan Greenberg

Department: 3

Trial Date: N/A

Action Filed: June 2, 2021

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

2 PLEASE TAKE NOTICE that on September 21, 2023, at 2:00 p.m., or as soon thereafter as
3 counsel may be heard, in Department 3 of the San Mateo Superior Court, the Honorable Susan
4 Greenberg presiding, plaintiff EMILY TOLOSA ("Plaintiff") will, and hereby does, move this Court
5 to:

6 1. Preliminarily approve the settlement described in Stipulation of Settlement of Class and
7 PAGA Action Claims and Release of Claims ("Agreement") attached as Exhibit A to the Declaration
8 of Jean-Claude Lapuyade, Esq. filed concurrently herewith;

9 2. Conditionally certify the Settlement Class;

10 3. Approve distribution of the proposed Notice of Pendency of Class Action Settlement
11 and Final Hearing Date to the Settlement Class;

12 4. Appoint Plaintiff EMILY TOLOSA as the Class Representative;

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

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

15 This Motion is based upon: (1) this Notice of Motion; (2) the Memorandum of Points and
16 Authorities in Support of Motion for Preliminary Approval of Class and PAGA Action Settlement; (3)
17 the Declaration of Jean-Claude Lapuyade, Esq.; (4) the Declaration of Shani O. Zakay, Esq.; (5) the
18 Declaration of Emily Tolosa; (6) the Declaration of Sean Hartranft on Behalf of Apex Class Action
19 LLC in Support of Plaintiff's Motion for Preliminary Approval Hearing; (7) the [Proposed] Order
20 Granting Preliminary Approval of Class and PAGA Action Settlement and exhibits attached thereto;
21 (8) the records, pleadings, and papers filed in this action; and (9) upon such other documentary and
22 oral evidence or argument as may be presented to the Court at or prior to the hearing 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: July 18, 2023

JCL LAW FIRM, APC

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