

JEAN-CLAUDE LAPUYADE (SBN 248676)

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SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN DIEGO

JACQUELINE BALTAZAR an individual, on
behalf of herself, and on behalf of all persons
similarly situated,

Plaintiffs,

vs.

WESTGATE HOTEL COMPANY, a
Corporation; SINCLAIR SERVICES
COMPANY, a Corporation; GRAND
AMERICA HOTELS & RESORTS, INC.; and
DOES 1 through 30, Inclusive;

Defendants.

Case No. 37-2020-00005102

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

Date: 04/02/2021

Time: 1:30 p.m.

Judge: Hon. Timothy Taylor

Dept.: 72

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

PLEASE TAKE NOTICE that on April 2, 2021, at 1:30 p.m., or as soon thereafter as counsel
may be heard, in Department 72 of the San Diego Superior Court, located at 330 W Broadway Street,
San Diego, CA 92101, the Honorable Judge Timothy Taylor presiding, Plaintiff JACQUELINE
BALTAZAR will, and hereby does, move this Court to:

1. Preliminarily approve the settlement described in the Stipulation of Settlement of Class
Action Claims and Release of Claims ("Agreement") attached as Exhibit A to the Declaration of Jean-
Claude Lapuyade filed concurrently herewith;
2. Conditionally certify the Settlement Class;
3. Approve distribution of the proposed Notice of Class Action Settlement to the
Settlement Class;
4. Appoint Plaintiff JACQUELINE BALTAZAR as the Class Representative;
5. Appoint the JCL Law Firm, APC as Class Counsel; and

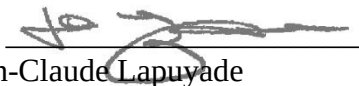
1 7. Set a hearing date for final approval of the settlement.

2 This Motion is based upon: (1) this Notice of Motion and Motion; (2) the Memorandum of Points
3 and Authorities in Support of Motion for Preliminary Approval of Class Action Settlement; (3) the
4 Declaration of Jean-Claude Lapuyade, Esq.; (4) the Stipulation of Settlement of Class Action Claims
5 and Release of Claims and exhibit attached thereto; (5) the [Proposed] Order Granting Preliminary
6 Approval of Class Action Settlement and exhibits attached thereto; (6) the records, pleadings, and
7 papers filed in this action; and (7) upon such other documentary and oral evidence or argument as may
8 be presented to the Court at or prior to the hearing of this Motion.

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

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12 Dated: March 3, 2021

JCL LAW FIRM, APC

13 By: 
14 Jean-Claude Lapuyade
15 Attorneys for Plaintiff
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