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Attorney for Plaintiff OSCAR ALMANZA

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

OSCAR ALMANZA, individually and on
behalf of all persons similarly situated,

Plaintiffs,

vs.

XTREME XPRESS, INC., a California
corporation and DOES 1 through 50,
Inclusive,

Defendants.

Case No. 20STCV15387

Complaint Filed: August 21, 2020

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

Date: January 27, 2022

Time: 9:00 a.m.

Judge: Elihu M. Berle

Dept.: 6

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

PLEASE TAKE NOTICE that on January 27, 2022 at 9:00 a.m., or as soon thereafter as counsel may be heard, in the department 6 of the above-captioned Spring Street Courthouse, located at 312 North Spring Street, Los Angeles, CA 90012, Plaintiff OSCAR ALMANZA, will hereby move this Court to:

1. Preliminarily approve the settlement described in the Stipulation of Settlement of Class Action Claims and Release of Claims ("Settlement Agreement"), attached as **Exhibit 1** to the Declaration of Jean-Claude Lapuyade;

2. Conditionally certify the Settlement Class;

3. Approve distribution of the proposed Notice of Class Action Settlement to the Settlement Class Members;

4. Appoint Plaintiff OSCAR ALMANZA as the class representative;

5. Appoint Jean-Claude Lapuyade, Esq. of the JCL LAW FIRM, APC, and Shani O. Zakay, Esq. of the ZAKAY LAW GROUP, APLC, as class counsel; and

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

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

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

Dated: December 10, 2021

JCL LAW FIRM, APC

By: 
Jean-Claude Lapuyade
Attorneys for Plaintiff