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Attorneys for Plaintiffs
MARGARET RIVERA, KAY MANALIGOD,
and CHRISTINE ATENCIO

SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF ALAMEDA

MARGARET RIVERA, KAY MANALIGOD,
and CHRISTINE ATENCIO, on behalf of
themselves and all others similarly situated,
all Aggrieved employees, and the State of
California,

Plaintiffs,

vs.

HOME CARE ASSISTANCE, INC., HOME
CARE ASSISTANCE OF CALIFORNIA,
LLC, HOME CARE ASSISTANCE, LLC,
HOME CARE ASSISTANCE
MANAGEMENT, LLC, HOME CARE
ASSISTANCE HLDINGS LLC, and DOES 5
through 25,

Defendants.

Case No. RG20058229

CLASS AND REPRESENTATIVE
ACTION

ASSIGNED FOR ALL PURPOSES TO
DEPARTMENT 17

**NOTICE OF MOTION AND MOTION
FOR: PRELIMINARY APPROVAL OF
SETTLEMENT AND PROVISIONAL
CERTIFICATION OF SETTLEMENT
CLASS; APPROVING THE NOTICE
OF PROPOSED CLASS
SETTLEMENT, APPOINTING
SETTLEMENT ADMINISTRATOR AND
SETTING FINAL APPROVAL
HEARING DATE**

(SUPPORTING MEMORANDUM AND
[PROPOSED] ORDER SUBMITTED
CONCURRENTLY HEREWITH)

Date: September 30, 2021

Time: 3:30 p.m.

Dept.: 17

Reservation No.: Preliminary Approval
of Class Settlement: R-2285277

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Plaintiffs MARGARET RIVERA, KAY MANLIGOD, and
CHRISTINE ATENCIO will move this Court on Thursday September 30, 2021, at 3:30 p.m.,

1 before the Honorable Frank Roesch in Dept. 17 of the Alameda County Superior Court, move
2 for an Order:

3 1. Granting preliminary approval of the parties' Settlement Agreement, certifying the
4 proposed class for the purposes of settlement, and appointing Plaintiffs' Counsel as
5 Provisional Class Counsel;

6 2. Approving the parties' proposed Settlement Administrator and maximum settlement
7 administration costs; and

8 3. Approving the Class Notice, and setting a hearing date for Plaintiffs' Motion for Final
9 Approval of the Proposed Settlement.

10 This motion is supported by the Memorandum of Points and Authorities submitted
11 herewith, and the Declaration of Ryan L. Hicks, and the exhibits attached thereto, along with
12 the papers and documents already on file in the Court's record. This Motion is brought
13 pursuant to California Rule of Court 3.769(e).

14 Respectfully submitted,

15 Date: September 2, 2021

HOYER & HICKS



Richard W. Hoyer
Ryan L. Hicks
Attorneys for Plaintiffs

1 **PROOF OF SERVICE BY EMAIL**

2 I declare that I am employed in the City and County of San Francisco, State of
3 California. I am over eighteen years of age and not a party to the within entitled cause. My
4 business address is 4 Embarcadero Center, Suite 1400, San Francisco, California 94111.

5 On the date below, I served:

6 **NOTICE OF MOTION AND MOTION FOR: PRELIMINARY APPROVAL OF**
7 **SETTLEMENT AND PROVISIONAL CERTIFICATION OF SETTLEMENT CLASS;**
8 **APPROVING THE NOTICE OF PROPOSED CLASS SETTLEMENT, APPOINTING**
9 **SETTLEMENT ADMINISTRATOR AND SETTING FINAL APPROVAL HEARING DATE**

10 to:

11 Marlene Muraco
12 mmuraco@littler.com
13 LITTLER MENDELSON P.C.
14 50 West San Fernando Street, 7th Floor
15 San Jose, CA 95113-2434

16 on:

17 September 2, 2021

18 BY EMAIL: I served the document(s) on the person(s) listed above by emailing them
19 pursuant to the parties' written e-service agreement. I declare under penalty of perjury that
20 the foregoing is true and correct, and that this declaration was executed at San Francisco,
21 California, on the date above.

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23 Ryan L. Hicks
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