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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN DIEGO**

KATHRYNE MARTINEZ-LOPEZ, an
individual, on behalf of herself and on
behalf of all persons similarly situated,

Plaintiff,

vs.

MEDAMERICA, INC. a Corporation;
and DOES 1 through 50, inclusive,

Defendants.

Case No.: **37-2020-00034393-CU-OE-CTL**

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

Hearing Date: June 17, 2022
Hearing Time: 10:30 a.m.

Dept.: C-68
Judge: Hon. Richard S. Whitney

Action Filed: September 28, 2020
Trial Date: Not Set

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

YOU ARE HEREBY NOTIFIED THAT on June 17, 2022 at 10:30 a.m., in
Department 68 at the Hall of Justice Courthouse of the above entitled Court before the
Honorable Richard S. Whitney, Plaintiff Kathryne Martinez-Lopez ("Plaintiff") will apply

1 for an order: (1) preliminarily approving the proposed settlement of this class action with
2 Defendant MedAmerica, Inc. (“Defendant”); (2) for settlement purposes only, conditionally
3 certifying the Class, which is comprised of “all current and former non-exempt employees
4 employed by MedAmerica, Inc. who worked in California at any time during the Class
5 Period” of April 15, 2019 through October 15, 2021; (3) provisionally appointing Plaintiff as
6 the representative of the Class; (4) provisionally appointing Norman B. Blumenthal, Kyle
7 R. Nordrehaug, and Aparajit Bhowmik of Blumenthal Nordrehaug Bhowmik De Blouw LLP
8 as Class Counsel for the Class; (5) approving the form and method for providing class-wide
9 notice; (6) directing that notice of the proposed settlement be given to the class; (7)
10 appointing ILYM Group as Settlement Administrator, and (8) scheduling a final approval
11 hearing date to consider Plaintiff’s motion for final approval of the settlement and entry of
12 the Judgment, and Plaintiff’s motion for approval of attorneys' fees and expenses. As part of
13 this Settlement, Plaintiff is submitting a stipulation for leave to file a First Amended
14 Complaint, and as such, Plaintiff also requests that the Court grant this stipulation.

15 This unopposed motion for preliminary approval of the class settlement is brought
16 pursuant to California Rules of Court, rule 3.769. Plaintiff’s motion will be based on this
17 notice of motion and motion, the accompanying memorandum of points and authorities, the
18 Declaration of Kyle Nordrehaug, the Class Action Settlement Agreement (“Agreement”)
19 between the parties, and the complete files and records in this action. Because all parties
20 have agreed to the proposed class settlement, this motion is not opposed by Defendant.

21 Respectfully submitted,

22 Dated: May 23, 2022

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

By: /s/ Kyle Nordrehaug
Norman B. Blumenthal, Esq.
Kyle R. Nordrehaug, Esq.
Attorney for Plaintiff