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Attorneys for Plaintiff ROMAN PEREZ

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN BERNARDINO

ROMAN PEREZ, individually and on behalf
of all persons similarly situated

PLAINTIFFS,

vs.

BUTLER AMERICA, LLC, a Delaware
Limited Liability Company; ZONES, LLC, a
Washington Limited Liability Company; and
Does 1 through 50, Inclusive,

DEFENDANTS.

Case No. CIV-DS2018372

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

Date: April 11, 2023

Time: 1:30 p.m.

Judge: Hon. Joseph Ortiz

Dept.: S-17

1 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that on April 11, 2023, at 1:30 p.m., or as soon thereafter as
3 counsel may be heard, in Department S-17 of the San Bernardino Superior Court, the Honorable
4 Joseph Ortiz presiding, plaintiff ROMAN PEREZ (“Plaintiff”) will, and hereby does, move this
5 Court to:

- 6 1. Preliminarily approve the settlement described in Class and PAGA Settlement Agreement
7 (“Agreement”) attached as Exhibit A to the Declaration of Shani O. Zakay filed
8 concurrently herewith;
- 9 2. Conditionally certify the Settlement Class;
- 10 3. Approve distribution of the proposed Notice of Class Action and PAGA Settlement to the
11 Settlement Class;
- 12 4. Appoint Plaintiff ROMAN PEREZ as the Class Representative;
- 13 5. Appoint the Zakay Law Group, APLC and Blumenthal Nordrehaug Bhowmik De Blouw,
14 as Class Counsel;
- 15 6. and Set a hearing date for final approval of the settlement.

16 This Motion is based upon: (1) this Notice of Motion; (2) the Memorandum of Points and
17 Authorities in Support of Motion for Preliminary Approval of Class Action and PAGA Settlement;
18 (3) the Declaration of Nick De. Blouw, Esq.; (4) the Declaration of Shani O. Zakay, Esq.; (5) the
19 Stipulation of Settlement of Class and PAGA Action Claims and Release of Claims and exhibit
20 attached thereto; (6) the [Proposed] Order Granting Preliminary Approval of Class Action and
21 PAGA Settlement and exhibits attached thereto; (7) the records, pleadings, and papers filed in this
22 action; and (8) upon such other documentary and oral evidence or argument as may be presented to
23 the Court at or prior to the hearing of this Motion.

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

3 Respectfully submitted,
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5 Dated: March 9, 2023

SHANI O. ZAKAY

6 By: 
7 Shani O. Zakay, Esq.
8 Attorneys for Plaintiff
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