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Attorneys for Plaintiff JOSEPH MONTGOMERY,
on behalf of himself and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

JOSEPH MONTGOMERY, individually
and on behalf of himself and all others
similarly situated,

Plaintiff,

v.

COPART, INC., a Delaware Corporation,
and DOES 1-50, inclusive,

Defendants.

Case No. 34-2020-00280733-CU-OE-GDS

Reservation #: 2644065

Assigned for All Purposes To:

Hon. Jill H. Talley

Dept.: 25

**NOTICE OF MOTION AND MOTION TO
APPROVE PAGA SETTLEMENT**

Date: July 2, 2022

Time: 9:00 a.m.

Dept: 25

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

2 YOU ARE HEREBY NOTIFIED THAT at 9:00 a.m. on July 2, 2022, or as soon
3 thereafter as the matter can be heard, in Department 25 of the above-entitled Court before the
4 Honorable Jill H. Talley, Plaintiff Joseph Montgomery ("Plaintiff") will and hereby does move
5 for an order approving the settlement of the PAGA claim alleged against Defendant Copart, Inc.
6 ("Defendant") in accordance with Labor Code §2699(l). The proposed settlement is set forth in
7 the accompanying Private Attorneys General Act (Labor Code §2698 et seq.) Settlement and
8 Release Agreement ("Settlement", "Agreement" or "Settlement Agreement"), attached as Exhibit
9 1 to the Declaration of James Hawkins. This PAGA Settlement resolves this entire action.

10 This Motion will be based on this notice, the accompanying points and authorities, the
11 Declaration of James Hawkins, the Declaration of Christina M. Lucio, the Declaration of Joseph
12 Montgomery, and the complete files and records in this action.

13 The Labor Workforce Development Agency has been served with this motion and the
14 Settlement Agreement as set forth in the accompanying proof of service.

15 Dated: May 6, 2022
16 Respectfully submitted,
JAMES HAWKINS APLC

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18 By: 

19 James R. Hawkins, Esq.
Christina M. Lucio, Esq.

20 Attorneys for Plaintiff Joseph Montgomery
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PROOF OF SERVICE, COUNTY OF ORANGE

I am a resident of the State of California, County of Orange. I am over the age of eighteen years and not a party to the within action. My business address is 9880 Research Drive., Suite 200, Irvine, California 92618.

On May 9, 2022, I served on the interested parties in this action the following document(s) entitled:

- **NOTICE OF MOTION AND MOTION TO APPROVE PAGA SETTLEMENT**
- **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO APPROVE PAGA SETTLEMENT**
- **DECLARATION OF JAMES R. HAWKINS IN SUPPORT OF PLAINTIFF'S MOTION TO APPROVE PAGA SETTLEMENT**
- **DECLARATION OF CHRISTINA M. LUCIO IN SUPPORT OF PLAINTIFF'S MOTION TO APPROVE PAGA SETTLEMENT**
- **DECLARATION OF PLAINTIFF JOSEPH MONTGOMERY IN SUPPORT OF PLAINTIFF'S MOTION TO APPROVE PAGA SETTLEMENT**
- **[PROPOSED] ORDER APPROVING PAGA SETTLEMENT AND JUDGMENT**

[XX] BY ELECTRONIC SERVICE: Based on a court Order or an agreement by the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from the email address Nicole@jameshawkinsaplc.com to the persons at the e-mail addresses listed in the Service List below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

SERVICE LIST

William C. Sung, Esq. Jeffrey S. Ranen, Esq. Casey Engstrom, Esq. LEWIS BRISBOIS BISGAARD & SMITH LLP 633 West 5th Street, Suite 4000 Los Angeles, CA 90071 William.Sung@lewisbrisbois.com Jeffrey.Ranen@lewisbrisbois.com Casey.Engstrom@lewisbrisbois.com	California Labor and Workforce Development Agency Attn: PAGA Administrator 1515 Clay Street, Ste. 801 Oakland, CA 94612 http://www.dir.ca.gov/Private-Attorneys-General-Act
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[X] **STATE:** I declare under penalty of perjury, under the laws of the State of California, that the above is true and correct.

Executed on May 9, 2022, at Irvine, California



Nicole Miccolis