

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

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Attorneys for Plaintiff

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

ANNA LEVINE, an individual, on behalf
of herself and on behalf of all persons
similarly situated,

Plaintiff,

vs.

ASSOCIATED STUDENTS
INCORPORATED OF CALIFORNIA
POLYTECHNIC STATE UNIVERSITY
AT SAN LUIS OBISPO, a California
Corporation; ASSOCIATED
STUDENTS, INC., a California
Corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. 20CV-0664
(Consolidated with Case No. 20CV-0672)

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

Hearing Date: February 2, 2023
Hearing Time: 9:00 a.m.

Dept.: 2
Judge: Hon. Rita Federman

Action Filed: December 21, 2020
Trial Date: Not Set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT on February 2, 2023 at 9:00 a.m., in
Department 2 of the above entitled Court before the Honorable Rita Federman, Plaintiff

1 Anna Levine ("Plaintiff") will apply for an order: (1) preliminarily approving the proposed
2 Settlement of this class action with Defendant Associated Students Incorporated of
3 California Polytechnic State University at San Luis Obispo ("Defendant"); (2) for settlement
4 purposes only, conditionally certifying the Class, which is comprised of the "California
5 Class" defined as "all individuals who are or were employed by Defendant in California and
6 who are or were classified as non-exempt employees during the California Class Period"
7 and the "FCRA Class defined as "all employees and prospective employees of Defendant in
8 the United States on whom Defendant conducted a background check during the "FCRA
9 Class Period."; (3) provisionally appointing Plaintiff as the representative of the Class; (4)
10 provisionally appointing Norman B. Blumenthal, Kyle R. Nordrehaug, Aparajit Bhowmik,
11 Jeffrey S. Herman, Piya Mukherjee, and Charlotte James of Blumenthal Nordrehaug
12 Bhowmik De Blouw LLP as Class Counsel for the Class; (5) approving the form and method
13 for providing class-wide notice; (6) directing that notice of the proposed settlement be given
14 to the Class; (7) appointing CPT Group as Settlement Administrator, and (8) scheduling the
15 final approval hearing date to consider Plaintiff's motion for final approval of the settlement
16 and entry of the Judgment, and Plaintiff's motion for approval of attorneys' fees and
17 expenses.

18 This motion for preliminary approval of the class settlement is brought pursuant to
19 California Rules of Court, rule 3.769. Plaintiff's motion will be based on this notice of
20 motion and motion, the accompanying memorandum of points and authorities, the
21 Declaration of Kyle Nordrehaug, the Class and Representative Action Settlement Agreement
22 ("Agreement") between the Parties, and the complete files and records in this action.
23 Because all Parties have agreed to the proposed class settlement, this motion is not opposed
24 by Defendant.

25 Respectfully submitted,

26 Dated: January 4, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

27 By: /s/ Kyle Nordrehaug
28 Norman B. Blumenthal, Esq.

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Kyle R. Nordrehaug, Esq.
Attorney for Plaintiff