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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ORANGE**

MARIO FERNANDEZ, an individual, on
behalf of himself and on behalf of all
persons similarly situated, and on behalf
of the State of California, as a private
attorney general,

Plaintiff,

vs.

NUVISION FEDERAL CREDIT
UNION, a Corporation; and Does 1
through 50, inclusive,

Defendants.

Lead Case No.: 30-2020-01161691-CU-OE-CXC

Consolidated with Case No.:
30-2020-01165529-CU-OE-CXC

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

Hearing Date: June 16, 2022
Hearing Time: 2:00 p.m.

Dept.: CX102
Judge: Hon. Peter J. Wilson

Action Filed: September 23, 2020
Trial Date: Not Set

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

1 YOU ARE HEREBY NOTIFIED THAT on June 16, 2022 at 2:00 p.m., in
2 Department CX102 of the above entitled Court before the Honorable Peter J. Wilson,
3 Plaintiff Mario Fernandez (“Plaintiff”) will apply for an order: (1) preliminarily approving
4 the proposed settlement of this class action with Defendant Nuvision Federal Credit Union
5 (“Defendant”); (2) for settlement purposes only, conditionally certifying the Class, which is
6 comprised of “all individuals who are or previously were employed by Defendant in
7 California and were classified as non-exempt employees at any time during the Class
8 Period” of October 16, 2016 to October 31, 2021; (3) provisionally appointing Plaintiff as
9 the representative of the Class; (4) provisionally appointing Norman B. Blumenthal, Kyle
10 R. Nordrehaug, and Aparajit Bhowmik of Blumenthal Nordrehaug Bhowmik De Blouw LLP
11 as Class Counsel and Jose Garay of Jose Garay APLC for the Class; (5) approving the form
12 and method for providing class-wide notice; (6) directing that notice of the proposed
13 settlement be given to the class; (7) appointing Simpluris as Settlement Administrator, and
14 (8) scheduling a final approval hearing date to consider Plaintiff’s motion for final approval
15 of the settlement and entry of the Judgment, and Plaintiff’s motion for approval of attorneys’
16 fees and expenses.

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

23 Respectfully submitted,

24 Dated: April 28, 2022

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

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