

JCL LAW FIRM, APC

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Attorneys for Plaintiff CECILLE SARMIENTO

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

CECILLE SARMIENTO, an individual, on
behalf of herself and on behalf of all persons
similarly situated,

Plaintiff,

v.

CADUCEUS HEALTHCARE INC, a
corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. 37-2021-00002597-CU-OE-CTL

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

Date: September 9, 2022

Time: 10:30 a.m.

Judge: Hon. Richard S. Whitney

Dept.: 68

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

PLEASE TAKE NOTICE that on September 9, 2021, at 10:30 a.m., or as soon thereafter as counsel may be heard, in Department C-68 of the San Diego Superior Court, the Honorable Judge Richard S. Whitney presiding, plaintiff Cecille Sarmiento will, and hereby does, move this Court to:

1. Preliminarily approve the settlement described in the Stipulation of Class and PAGA Action Settlement and Release of Claims (“Agreement”) attached as Exhibit A to the Declaration of Jean-Claude Lapuyade, Esq., filed concurrently herewith;

2. Conditionally certify the Settlement Class;

3. Approve distribution of the proposed Notice of Class Action Settlement to the Settlement Class;

4. Appoint Plaintiff CECILLE SARMIENTO as the Class Representative;

5. Appoint the JCL Law Firm, APC and Blumenthal, Nordrehaugh, Bhowmik & De Blouw LLP; and

7. Set a hearing date for final approval of the settlement.

This Motion is based upon: (1) this Notice of Motion and Motion; (2) the Memorandum of Points and Authorities in Support of Motion for Preliminary Approval of Class Action Settlement; (3) the Declaration of Jean-Claude Lapuyade, Esq.; (5) the Declaration of Cecille Sarmiento; (6) the Stipulation of Class and PAGA Action Settlement and Release of Claims and exhibit attached thereto; (7) the [Proposed] Order Granting Preliminary Approval of Class Action Settlement and exhibits attached thereto; (8) the records, pleadings, and papers filed in this action; and (9) upon such other documentary and oral evidence or argument as may be presented to the Court at or prior to the hearing of this Motion.

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

Dated: May 20, 2022

JCL LAW FIRM, APC

By: 
Jean-Claude Lapuyade
Attorneys for Plaintiff

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