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Attorneys for Plaintiffs
ILDIKO O'CONNOR, LAURA RAYA, and DINA
SHASHUA

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA

ILDIKO O'CONNOR, an individual and on
behalf of all others similarly situated,
LAURA RAYA, an individual and on behalf
of all others similarly situated, and
DINA SHASHUA, an individual and on
behalf of all others similarly situated,

Plaintiff,

v.

FERGUSON SM, INC., a California
Corporation; SEAN CORREA, an
individual; THOMAS HUMPHREY, an
individual, MICHAEL REYES, an
individual, INFINITI HR WEST, LLC, an
Arizona Limited Liability Company, HR
SERVICE GROUP, LLC, a Maryland
Limited Liability Company, and DOES 3-
50, inclusive,

Defendants.

CASE NO.: 56-2020-00543357-CU-OE-VTA

**NOTICE OF MOTION FOR CONDITIONAL
CERTIFICATION OF SETTLEMENT CLASS
AND PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: 1/16/2024
Time: 8:30 a.m.
Dept.: 40
Hon. Judge: Judge Mark S. Borrell

Complaint Filed: July 17, 2020
SAC Filed: Nov. 24, 2020
Trial Date: None set

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LAWYERS
FOR
JUSTICE

PLEASE TAKE NOTICE that, on January 16, 2024, at 8:30 a.m., in Department 40 of the
Superior Court of California for the County of Ventura, located at 800 South Victoria Avenue,
Ventura, California 93009, Plaintiffs Ildiko O'Connor, Laura Raya, and Dina Shashua ("Plaintiffs"),

will seek an order from the Court granting conditional certification of the settlement class and preliminary approval of a class action settlement in this matter.

Request for Relief

By this motion, Plaintiff respectfully moves the Court for an order:

1. Granting conditional certification of the Settlement Class pursuant to California Code of Civil Procedure section 382;
2. Appointing Plaintiffs Ildiko O'Connor, Laura Raya, and Dina Shashua as Class Representatives for the Settlement Class;
3. Approving Patrick R. Kitchin, Esq., Kitchin Legal, APC, and Kelly B. Hanker, Trial Lawyers for Justice, as counsel to the Settlement Class;
4. Granting preliminary approval of the class-wide settlement reached by the parties;
5. Approving the form and content of the proposed form of notice;
6. Approving Phoenix Class Action Administration Solutions, as the Settlement Claims Administrator, and preliminarily approving the estimated cost to administer the settlement in the not-to-exceed amount of \$9,750.00 (Nine Thousand, Seven Hundred and Fifty Dollars)¹;
7. Establishing a schedule for the dissemination of notice of the proposed settlement to Settlement Class Members, as well as deadlines for Class Members to opt-out and/or object to the settlement;
8. Scheduling a hearing on final approval of the settlement at which Class Members may be heard;
9. Dismissing without prejudice Defendant Ferguson SM, Inc.; and
10. Dismissing without prejudice Defendant Infiniti HR West, LLC.

A copy of the [Proposed] Order Granting Preliminary Approval is attached to the Settlement Agreement as Exhibit C and submitted separately herewith.

This Motion is based under California Rules of Court Rule 3.769, and is based on this Notice,

¹ See, Declaration of Patrick R. Kitchin, ¶ 15, footnote 1.

1 the Memorandum of Points and Authorities, the Declarations of Patrick R. Kitchen, Esq., Kelly B.
2 Hanker, Esq., Ildiko O'Connor, Laura Raya, and Dina Shashua, and exhibits thereto, the complete
3 file of pleadings in this matter, and on such other evidence and argument that may be presented at
4 the hearing of this motion.

5
6 Dated: December 14, 2023

Respectfully submitted,

7 By:

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9 Kelly B. Hanker, Esq.
10 **TRIAL LAWYERS FOR JUSTICE, P.C.**

11 Patrick R. Kitchen, Esq.
12 **KITCHIN LEGAL, APC**

13 Attorneys for Plaintiffs Ildiko O'Connor,
14 Laura Raya, and Dina Shashua
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