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5 **KASED LAW GROUP APC**

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10 Attorneys for Plaintiff

11 THIEU DINH

12 and Aggrieved Employees

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 FOR THE COUNTY OF SAN DIEGO

15 THIEU DINH (a.k.a. "TONY" DINH), an
16 Individual, on behalf of himself and all other
17 aggrieved employees of Defendants in the
18 State of California,

19 Plaintiff,

20 vs.

21 CAO-CAO NAIL 2000 OF UTC, LLC;
22 DUNG KIM CAO, an Individual; and DOES
23 1-10, Inclusive,

24 Defendants.

ELECTRONICALLY FILED

Superior Court of California,
County of San Diego

05/11/2021 at 02:47:00 PM

Clerk of the Superior Court
By Kristin Sorianosos, Deputy Clerk

Case No. 37-2020-00017596-CU-OE-CTL

UNLIMITED CIVIL CASE

UNOPPOSED MOTION

**PLAINTIFF'S NOTICE OF MOTION
AND MOTION FOR APPROVAL OF
SETTLEMENT OF CIVIL ACTION
AND NEGOTIATED PENALTIES
PURSUANT TO THE PRIVATE
ATTORNEYS' GENERAL ACT OF
2004**

**[FILED CONCURRENTLY WITH
MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATION OF
JANINE R. MENHENNET;
PROPOSED ORDER]**

DATE: OCTOBER 1, 2021

TIME: 10:30 A.M.

DEPT: C-70

HON. CAROLYN CAIETTI

RESERVATION NUMBER: 2376352

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

2 PLEASE TAKE NOTICE that on October 1, 2021, at 10:30 a.m. or as soon thereafter as the
3 matter may be heard, in Department C-70 of the above-entitled Court, located at 330 W. Broadway
4 Avenue, San Diego, California 92101, Plaintiff will and hereby does move for an order approving
5 the settlement of the individual action and all civil penalties provided for under the Private
6 Attorneys' General Act, Labor Code §2698, *et seq.* ("PAGA").

7 This motion is unopposed.

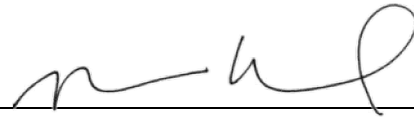
8 The settlement, attached to the Declaration of Janine R. Menhennet as Exhibit 1, is submitted
9 herewith for the Court's consideration of its fairness. In short, for the Court's convenience, this
10 settlement results from individual and representative claims asserted against Defendants, a nail salon
11 and its owner. Through diligent informal and written discovery exchanges and meaningful
12 settlement discussions, the parties were able to reach a reasonable settlement, which includes, in the
13 end, a generous payout of PAGA penalties which reach the aggrieved employees in a substantial
14 measure.

15 This motion seeks approval of the PAGA allocation, approval of the Notice, and dismissal
16 of the action.

17 This motion made pursuant to Labor Code §§ 2699, 2699.3, and is based upon this Notice,
18 the Memorandum of Points and Authorities filed concurrently herewith, the Declaration of Janine
19 R. Menhennet, all the pleadings and papers on file herein, and upon such other evidence as may be
20 adduced at the hearing on this matter.

21 Dated: May 11, 2021

KASED LAW GROUP APC

22
23 By: 

24 Nathan N. Kased

25 Janine R. Menhennet

26 Attorneys for Plaintiff THIEU DINH, and all
27 other aggrieved employees of Defendants in the
28 State of California