

ZAKAY LAW GROUP, APLC

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

DAVID MARTINELLO, on behalf of himself,
and others similarly situated,

Plaintiff,

v.

CENTURY WILSHIRE, INC., a California
Corporation, and DOES 1-50, inclusive,

Defendants.

Case No: 20STCV25675

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

Hearing Date: October 26, 2021
Hearing Time: 10:30 AM

Honorable Carolyn Kuhl
Department 12

Trial Date: Not Set
Action Filed: August 24, 2020

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

2 YOU ARE HEREBY NOTIFIED THAT at 10:30 a.m. on October 26, 2021, or as soon
3 thereafter as the matter can be heard, in Department 12 of the above entitled Court, before the
4 Honorable Judge Carolyn Kuhl, Plaintiff DAVID MARTINELLO (“Plaintiff”) will apply for an
5 order (1) preliminary approving the proposed settlement of this class action with Defendant
6 CENTURY WILSHIRE, INC. (“Defendant”); (2) approving the form and method for providing
7 class-wide notice; (3) directing that notice of the proposed settlement be given to the class; and (4)
8 scheduling a final approval hearing date to consider Plaintiff’s motion for final approval of the
9 settlement and entry of the Judgment, and Plaintiff’s motion for approval of attorneys’ fees and
10 litigation expenses.

11 This motion for preliminary approval of the class settlement is brought pursuant to
12 California Rules of Court, rule 3.769. Plaintiff’s motion will be based on this notice of motion
13 and motion, the accompanying points and authorities, the Declaration of Shani O. Zakay and the
14 Class Action Settlement Agreement (“Agreement”) between the parties, and the complete files
15 and records in this action. All parties have agreed to the proposed class settlement and have met
16 and conferred regarding the motion; therefore, this motion is not opposed by Defendant. As this
17 Motion is unopposed, the Parties respectfully request relief from the page limit requirement set by
18 California Rules of Court, Rule 3.1113(d).

19 Respectfully submitted,

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21 Dated: September 28, 2021

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23 **ZAKAY LAW GROUP, APLC**

24 By: 
25 Shani O. Zakay
26 Attorney for Plaintiff
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