

LAW OFFICES OF NATALIE MIRZAYAN

Natalie Mirzayan (SBN 272217)
E-mail: mirzayanlaw@outlook.com
26632 Towne Center Drive, Suite 300
Foothill Ranch, California 92610
Telephone: (949) 285-3550

Attorney for Plaintiff
KALVYN ESCOBAR

MIRHOSSEINI LAW GROUP

Ali Mirhosseini, Esq. (149919)

Tina Starr, Esq. (231309)

1502 N. Broadway
Santa Ana, California, 92706
ali@armlaw.net
tina@armlaw.net

Attorneys for Defendants
PRIME FINANCE CONSULTING, INC.,
HANIEH JODAT, and SHAHIN JOUDAT

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE – CIVIL COMPLEX CENTER

KALVYN ESCOBAR, individually and on
behalf of all current and former similarly situated
employees in the State of California,

Plaintiff,

v.

PRIME FINANCE CONSULTING, INC., a
California Corporation; HANIEH JODAT, an
individual; SHAHIN JOUDAT, an individual,
and DOES 1 to 50, inclusive,

Defendants.
.

CASE NO.: 30-2020-01134584-CU-OE-CXC

ASSIGNED FOR ALL PURPOSES TO: HON.
RANDALL J. SHERMAN

**NOTICE OF MOTION AND MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: August 6, 2021
Time: 10:00 a.m.
Courtroom: CX-105

Complaint Filed: February 26, 2020
FAC Filed: June 18, 2020

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

2 **PLEASE TAKE NOTICE** that on August 6, 2021, at 10:00 a.m., or as soon thereafter as
3 this matter may be heard in Department CX-105 of the Superior Court of California for the County
4 of Orange, located at 751 West Santa Ana Blvd., Santa Ana, CA 92701, before Hon. Randall J.
5 Sherman, Plaintiff Kalvyn Escobar (“Plaintiff” or “Class Representative”), will move, and does move
6 on behalf of himself and others similarly situated, pursuant to Rule 3.769 of the California Rules of
7 Court, for the following:
8

9 1) Final approval of the class action settlement reached by the Parties, the terms of which
10 are set forth in the Parties’ Stipulation for Class Action Settlement, inclusive of Addendum 1, which
11 the Court preliminarily approved by Order dated April 9, 2021;

12 2) To find that this Action is properly certified as a class action on behalf of the following
13 persons (“the Settlement Class”): “All current and former employees, who were employed by
14 Defendants in the State of California between February 26, 2016 through the April 9, 2021 in the position
15 of Student Loan Advisors, Student Loan Processors, or similar positions”

16 3) That the non-revisionary settlement payment by Prime Finance Consulting, Inc. (“PFC”),
17 HANIEH JODAT, and SHAHIN JOUDAT (collectively “ Defendants”) in the sum of One Hundred
18 Ninety Thousand Dollars (\$190,000.00) to resolve all claims, fees and costs relating to the
19 Settlement, inclusive of all Net Settlement Payments to the Settlement Class, the enhancement award
20 to Plaintiff, fees and costs to the Settlement Administrator, attorneys’ fees and costs awarded to Class
21 Counsel (Law Offices of Natalie Mirzayan), payment of PAGA penalties to the LWDA, and the
22 employer portion of payroll taxes and unemployment insurance obligations, is fair, adequate,
23 reasonable, and satisfies all of the criteria for final approval under California law;

24 4) To find that named Plaintiff Kalvyn Escobar is adequate representative of the Class;

25 5) To find that Class Counsel (Natalie Mirzayan of the Law Offices of Natalie Mirzayan)
26 has fairly and adequately represented the Class with respect to this litigation and the settlement;
27
28

1 6) To find that the Settlement is fair, adequate, and reasonable and that Class Members were
2 given adequate notice of the Settlement, which advised them of their rights to exclude themselves
3 from the Settlement, and object to the Settlement in a reasonable manner that satisfies the
4 requirements of due process.

5 7) To direct Defendants to provide the Settlement Administrator with sufficient funds to
6 make all payments and distributions as required by the Settlement;

7 8) To direct that the Settlement Administrator to distribute settlement benefits to
8 participating Class Members from the settlement funds in accordance with the Settlement;

9 9) To enter a judgment providing that Class Members who did not timely exclude
10 themselves from the Settlement have released their claims against Defendants and all released parties
11 as set forth in the Settlement;

12 10) To rule that Class Members who did not timely object to the Settlement are barred from
13 prosecuting or appealing the Court's Order granting final approval of the Settlement;

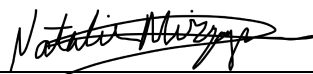
14 11) To direct that the clerk of the Court enters the Proposed Final Approval Order and
15 Proposed Final Judgment; and

16 12) Without affecting the finality of the final judgment, reserve continuing jurisdiction over
17 the Parties and Class Members for the purposes of implementing, enforcing and/or administering the
18 Settlement or enforcing the terms of the judgment.

19 This **unopposed** motion will be based on this Notice of Motion, the attached Memorandum
20 of Points and Authorities filed herewith, the Declaration of Natalie Mirzayan, the Declaration of
21 Taylor Mitzner, exhibits attached thereto, argument of counsel and upon such other material
22 contained in the file and pleadings of this action.

1 DATED: July 20, 2021

LAW OFFICES OF NATALIE MIRZAYAN

2 By: 
3 Natalie Mirzayan

4 Attorney for Plaintiff
5 KALVYN ESCOBAR

6
7 DATED: July 20, 2021

MIRHOSSEINI LAW GROUP

8 Ali R. Mirhosseini

9 Ali Mirhosseini, Esq.
10 Tina Starr, Esq.

11 Attorney for PRIME FINANCE
12 CONSULTING, INC., HANIEH JODAT, and
13 SHAHIN JOUDAT
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28