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Attorneys for Plaintiff SCOTT CAHN,
on behalf of himself and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

SCOTT CAHN, individually and on behalf
of himself and all others similarly situated,

Plaintiff,

v.

J.J.R. ENTERPRISES, INC., doing
business as CALTRONICS BUSINESS
SYSTEMS, a California Corporation; and
DOES 1-50, inclusive,

Defendants.

Case No. 34-2020-00284704

Assigned for All Purposes to:
Hon. Lauri A. Damrell

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

Date: August 18, 2023
Time: 9:00 a.m.
Dept: 28

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

2 PLEASE TAKE NOTICE that on August 18, 2023, at 9:00 a.m. in Department 28 of the
3 Superior Court of California, County of Sacramento, located at the 720 9th Street, Sacramento,
4 California 95814, or as soon thereafter as this matter can be heard, Plaintiff Scott Cahn
5 (“Plaintiff”) will and hereby does move this Court for an order:
6

7 1. Granting preliminary approval of the Stipulation of Settlement (the “Settlement”)
8 reached between Plaintiff and Defendant J.J.R. Enterprises, Inc. (“Defendant”) (collectively the
9 “Parties”), attached as **Exhibit 1** to the supporting Declaration of James R. Hawkins;

10 2. Pursuant to California Code of Civil Procedure section 382, and for purposes of,
11 and solely in connection with, the Settlement, conditionally certifying, for settlement purposes
12 only, a Class as defined in the Settlement;

13 3. Approving James Hawkins and Christina Lucio of James Hawkins, APLC as
14 Class Counsel;

15 4. Approving Plaintiff as the Class Representative;

16 5. Finding the Parties’ proposed Notice of Class Action Settlement (“Class Notice”)
17 is the best means practicable of providing notice under the circumstances and when completed
18 according to the terms of the Settlement shall constitute due and sufficient notice of this Action,
19 the Settlement, and the Final Approval Hearing to all person affected by and/or authorized to
20 participate in the Settlement in full compliance with California Rule of Court 3.769, California
21 Code of Civil Procedure section 382, and the requirement of due process;

22 6. Approving the form and content of the proposed Notice of Class Action
23 Settlement (**Exhibit A** to the Settlement), Request for Exclusion Form (**Exhibit B** to the
24 Settlement), and Objection Form (**Exhibit C** to the Settlement) (collectively, the “Notice
25 Packet”), and establishing a schedule for the dissemination of the Notice Packet to Class
26 Members as well as the deadlines for Class Members to object to or opt out in connection with
27 the Settlement;
28

1 7. Approving Phoenix Settlement Administrators as the Settlement Administrator in
2 this matter;

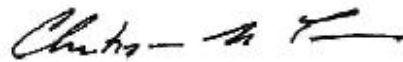
3 8. Granting the Preliminary Approval Order substantially in the form of the
4 proposed order submitted herewith;

5 9. Scheduling a hearing on final approval of the Settlement at which Class Members
6 may be heard, to determine all necessary matters concerning the Settlement, including whether
7 the Settlement is fair, adequate, and reasonable, whether this Court should grant final approval,
8 whether to grant Class Counsel's application for an award of fees and costs, and whether to grant
9 Plaintiff's application for a Class Representative Enhancement Award.
10

11 This motion is brought pursuant to California Rule of Court 3.769 and California Code of
12 Civil Procedure section 382, and is based on this Notice of Motion and Motion; the
13 Memorandum of Points and Authorities in support of the Motion; the Declaration of James R.
14 Hawkins in Support of Motion for Preliminary Approval; all documents currently on file in this
15 action; the arguments of counsel; and such other and further evidence as the Court may choose to
16 entertain.
17

18 Dated: July 21, 2023

JAMES HAWKINS APLC



James R. Hawkins, Esq.
Christina M. Lucio, Esq.

Attorneys for Plaintiff, individually and on
behalf of all others similarly situated