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Attorneys for Plaintiff Daniel Marden, on behalf of himself
and all other similarly-situated and aggrieved employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF PLACER

DANIEL MARDEN, on behalf of himself
and all other similarly-situated and
aggrieved employees,

Plaintiff,

v.

CVS PHARMACY, INC., a Rhode Island
Corporation; LONGS DRUG STORES
CALIFORNIA, L.L.C.; a California Limited
Liability Company; and DOES 1 through 10,
Inclusive,

Defendants.

Case No. S-CV-0045902

CLASS AND REPRESENTATIVE ACTION

NOTICE OF UNOPPOSED
MOTION AND MOTION FOR
PRELIMINARY SETTLEMENT APPROVAL

Hearing: May 4, 2023

Time: 8:30 a.m.

Dept: 3

Judge: Hon. Michael Jones

Complaint filed: December 4, 2020

Trial date: Not set

PLEASE TAKE NOTICE on May 4, 2023 at 8:30 a.m., or as soon as the matter may be heard in Department 3 of the above-captioned court located at 101 Maple Street, Auburn, California 95603, the Honorable Michael Jones presiding, Daniel Marden, on behalf of himself and the Putative Class, will move this Court for an Order:

1. Preliminarily approving the Class Action and Private Attorneys General Act (PAGA) Settlement as fair, adequate, and reasonable based on the Class and PAGA Settlement Agreement and Release (“Agreement”) between Plaintiff Daniel Marden (“Plaintiff”) and Defendants CVS Pharmacy, Inc. and Longs Drug Stores California, L.L.C. (collectively “Defendants” or “CVS”), and payment by CVS of the \$745,687.50 Gross Settlement Amount;

2. Conditionally certifying the case as a class action for settlement purposes only;

3. Approving Notice of Proposed Class Action Settlement be mailed via first class U.S. Mail to the Settlement Class advising them of the: pendency of the Action, proposed Settlement, manner and timing for submitting requests for exclusion and objections to the Settlement, automatic payment of their share of Settlement funds without a claim form, date of Final Approval hearing, and of their right to appear at the time of the Hearing;

4. Appointing Cohelan Khoury & Singer and Davtyan Law Firm as Class Counsel;

5. Appointing Plaintiff David Marden as Class Representative;

6. Appointing Atticus Administration, LLC to administer the Settlement;

7. Setting a hearing date to consider final approval of the Settlement.

The Parties have met and conferred regarding the necessity of this motion. See Declaration of Jeff Geraci (“Geraci Decl.”), ¶ 55. Local Rule 20.2.1,

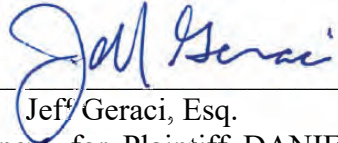
The court will issue a tentative ruling for this matter on the court day before the hearing. The tentative ruling will be available after 12:00 noon as an audio recording accessible at (916) 408-6480; the tentative ruling will also be available at the court’s website, www.placer.courts.ca.gov. Local Rule 20.2.3. The tentative ruling shall become the final ruling and no hearing will be held unless oral argument is timely requested or the tentative ruling indicates otherwise. Requests for oral argument must be made by calling (916) 408-6481 no later than 4:00 p.m. on the court day prior to the hearing.

1 This motion is based on this Notice of Motion, Memorandum of Points and Authorities,
2 Declarations of Class Counsel Jeff Geraci and Emil Davtyan, Declaration of Plaintiff Daniel
3 Marden, Declaration of Christopher Longley on behalf of Atticus Administration, LLC, the
4 Agreement, Notice of Proposed Class Action Settlement, [Proposed] Order Granting
5 Preliminary Approval of Class Action Settlement, and the Court's files in this matter.

6 Respectfully submitted,

7 COHELAN KHOURY & SINGER
8 DAVTYAN LAW FIRM, INC.

9 Dated: April 6, 2023

By: 

Jeff Geraci, Esq.

10 Attorneys for Plaintiff DANIEL MARDEN, on
11 behalf of himself and all other similarly-situated
12 and aggrieved employees