

1 JEFFREY L. HOGUE (SBN 234557)
2 TYLER J. BELONG (SBN 234543)

HOGUE & BELONG

3 170 Laurel Street
4 San Diego, CA 92101
5 Telephone: (619) 238-4720
6 Facsimile: (619) 238-5260

7 Devon K. Roepcke (SBN 265708)
8 **LAW OFFICES OF DEVON K. ROEPCKE, PC**

9 170 Laurel Street
10 San Diego, CA 92101
11 Tel: 619-940-5357
12 droepcke@lawdkr.com

13 Attorneys for Plaintiff Lizbeth Garcia

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **FOR THE COUNTY OF SAN DIEGO—CENTRAL**

16 LIZBETH GARCIA, on behalf of herself and
17 all others similarly situated,

18 Plaintiff,

19 v.

20 THE BAY CLUBS COMPANY, LLC; and
21 DOES 1 through 50, inclusive,

22 Defendants.

CASE NO.: 37-2018-00029247-CU-OE-CTL

**PLAINTIFF LIZBETH GARCIA'S
NOTICE OF UNOPPOSED EX PARTE
APPLICATION FOR COURT APPROVAL
OF THE PARTIES' PAGA SETTLEMENT**

Judge: Hon. Gregory W. Pollack
Dept: C-73
Date: March 8, 2022
Time: 8:30 a.m.

[filed concurrently with Plaintiff Lizbeth Garcia's Unopposed Ex Parte Application; Declaration of Jeffrey L. Hogue; Declaration of Devon K. Roepcke; Declaration of Ernesto Sanchez; Declaration of William M. Turner; Declaration of Lizbeth Garcia; Declaration of Jeyson Pineda; Declaration of Patricia Calderon; Declaration of Caroline Salazar; Notice of Lodgment; Proposed Order; Proposed Judgement; Request for Judicial Notice]

1 **TO THE HONORABLE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF**
2 **RECORD**

3 **PLEASE TAKE NOTICE** that on March 8, 2022, at 8:30 a.m. in Department C-71 of the
4 above-captioned court, the honorable Gregory W. Pollack presiding, Plaintiff Lizbeth Garcia will
5 and hereby does, apply *ex parte* to this Court for entry of an order and judgment approving the
6 Parties' PAGA settlement pursuant to Labor Code section 2699(1)(2).

7 This Application is based on (1) this Notice of the Unopposed *Ex Parte* Application; (2)
8 the Memorandum Points and Authorities in Support of the Unopposed *Ex Parte* Application for
9 Court approval of the Parties' PAGA Settlement; (3) the Private Attorneys General Act (Labor
10 Code §2698 et seq.) Settlement Agreement (the "PAGA Settlement Agreement"), attached as
11 Exhibit "A" to the Declaration of Jeffrey Hogue (a copy of the PAGA Settlement Agreement has
12 been e-filed with the LWDA); (4) Declarations of attorneys Jeffrey L. Hogue, Devon K. Roepcke,
13 William M. Turner, and Ernesto Sanchez; (5) Declarations of PAGA representatives Lizbeth
14 Garcia, Carolina Salazar, Jeyson Pineda, Patricia Calderon, and Allyson Klipa; (6) Request for
15 Judicial Notice; (7) Notice of *In Camera* Lodgment of Billing Records; (8) the [Proposed] Order
16 Approving the Parties' PAGA Settlement Agreement; (9) [Proposed] Judgment; (10) the records,
17 pleadings, and papers filed in this action; and (11) upon such other documentary and oral evidence
18 or arguments as may be presented to the Court at or prior to the hearing of this Application.

19 Plaintiff brings this request *ex parte* due to the Court's guidance on December 17, 2021,
20 indicating that this department hears PAGA settlement approvals on an *ex parte* basis. If the
21 Court needs additional time to review the moving papers, Plaintiff requests a hearing at the
22 soonest practicable time.

23 DATED: March 3, 2022

HOGUE & BELONG

24 By: s/ Devon Roepcke
25 JEFFREY L. HOGUE
26 TYLER J. BELONG
27 DEVON K. ROEPCKE
28 Attorneys for Plaintiff