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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

DEBBIE FELIX, an individual; RICK
MALEAD, an individual, on behalf of
themselves, and on behalf of all persons
similarly situated, and in their representative
capacity on behalf of the State of California and
fellow Aggrieved Employees,

Plaintiffs,

vs.

TVI, INC., d.b.a. SAVERS, a Washington
corporation; and DOES 1 through 50, Inclusive;

Defendants.

Case No. 21CV376407

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

Date: October 21, 2021
Time: 1:30 p.m.
Dept.: 1

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on October 21, 2021 at 10:30 a.m., or as soon thereafter as
counsel may be heard, in the department 1 of the above-captioned Court, Plaintiffs DEBBIE FELIX
and RICK MALEAD will hereby move this Court to:

1. Preliminarily approve the settlement described in the Stipulation of Settlement of
Class Action Claims and Release of Claims ("Settlement Agreement"), attached as **Exhibit 1** to the
Declaration of Jean-Claude Lapuyade;

- 1 2. Conditionally certify the Settlement Class;
- 2 3. Approve distribution of the proposed Notice of Class Action Settlement to the
- 3 Settlement Class Members;
- 4 4. Appoint Plaintiffs DEBBIE FELIX and RICK MALEAD as the class
- 5 representatives;
- 6 5. Appoint Jean-Claude Lapuyade, Esq. of the JCL LAW FIRM, APC, and Shani O.
- 7 Zakay, Esq. of the ZAKAY LAW GROUP, APLC, as class counsel; and
- 8 6. Set a hearing date for final approval of the settlement.

9 This Motion is based upon: (1) this Notice of Motion and Motion; (2) the Memorandum of

10 Points and Authorities in Support of Motion for Preliminary Approval of Class Action

11 Settlement; (3) the Declaration of Shani O. Zakay, Esq.; (4) the Settlement Agreement; (5) the

12 [Proposed] Order Granting Preliminary Approval of Class Action Settlement and exhibits

13 attached thereto; (6) the records, pleadings, and papers filed in this action; and (7) upon such

14 other documentary and oral evidence or argument as may be presented to the Court at or prior to

15 the hearing of this Motion.

16 As this Motion is unopposed, the Parties respectfully request relief from the page limit

17 requirement set by California Rules of Court, Rule 3.1113(d).

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19 Dated: September 23, 2021

JCL LAW FIRM, APC

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21 By: _____

Jean-Claude Lapuyade
Attorney for Plaintiff

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