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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

GUILLERMO NUNEZ and ERIBERTO
AQUINO, on behalf of the State of
California, as private attorneys general,
and as individuals on behalf of
themselves and on behalf of others
similarly situated,

Plaintiff,

vs.

INTERSTATE MANAGEMENT
COMPANY, L.L.C., a Limited Liability
Company; INTERSTATE HOTELS
AND RESORTS, INC.; and DOES 1
through 50, inclusive,

Defendants.

Case No. 37-2021-00023535-CU-OE-CTL

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

Hearing Date: August 4, 2023

Hearing Time: 8:30 a.m.

Judge: Hon. Keri Katz

Dept: 74

Action Filed: May 27, 2021

Trial Date: Not Set

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

2 YOU ARE HEREBY NOTIFIED THAT on August 4, 2023 at 8:30 a.m., in
3 Department 74 of the above entitled Court before the Honorable Keri Katz, Plaintiffs
4 Guillermo Nunez and Eriberto Aquino (“Plaintiffs”) will apply for an order:
5 (1) preliminarily approving the proposed settlement of this class action with Defendants
6 Interstate Management Company, LLC and Interstate Hotels and Resorts, Inc.
7 (“Defendants”); (2) for settlement purposes only, conditionally certifying the Class, which is
8 comprised of “all individuals who are or previously were employed by Defendants Interstate
9 Management Company, LLC; and Interstate Hotels and Resorts, Inc. in California who were
10 classified as hourly, non-exempt employees during the Class Period” of January 1, 2020
11 through January 31, 2023; (3) provisionally appointing Plaintiffs as the representatives of
12 the Class; (4) provisionally appointing Norman B. Blumenthal, Kyle R. Nordrehaug,
13 Aparajit Bhowmik, Nicholas J. DeBlouw, and Christine T. LeVu of Blumenthal Nordrehaug
14 Bhowmik De Blouw LLP and Armond M. Jackson., Andrea Fernandez-Jackson, and
15 Anthony Filer Jr. of Jackson Law, APC as Class Counsel for the Class; (5) approving the
16 form and method for providing class-wide notice; (6) directing that notice of the proposed
17 settlement be given to the Class; (7) appointing ILYM Group as the Administrator; and
18 (8) scheduling a final approval hearing date proposed for December 8, 2023 to consider
19 Plaintiffs’ motion for final approval of the settlement and entry of the Judgment, and
20 Plaintiffs’ motion for approval of attorneys' fees and expenses.

21 This motion for preliminary approval of the class settlement is brought pursuant to
22 California Rules of Court, rule 3.769. Plaintiffs’ motion will be based on this notice of
23 motion and motion, the accompanying memorandum of points and authorities, the
24 Declaration of Kyle Nordrehaug, the Declaration of Armond Jackson, the Declarations of
25 Plaintiffs Guillermo Nunez and Eriberto Aquino, the Class Action and PAGA Settlement
26 Agreement (“Agreement”) between the Parties, and the complete files and records in this
27 action. Because all parties have agreed to the proposed class settlement, this motion is not
28

1 opposed by Defendant.

2 Respectfully submitted,

3 Dated: July 11, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

4 By: /s/ Kyle Nordrehaug
5 Norman B. Blumenthal, Esq.
6 Kyle R. Nordrehaug, Esq.
7 Attorney for Plaintiffs
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