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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF CONTRA COSTA

ANGELO KALAVERAS and EMAD
MISSREEZADAH,

Plaintiff,

vs.

NCR CORPORATION; and DOES
1-100, inclusive,

Defendants.

Case No.: **MSC20-01186**

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

Hearing Date:

Hearing Time:

Dept: 12

Judge: Hon. Charles Treat

Action Filed: June 25, 2020

Trial Date: None set

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

3 YOU ARE HEREBY NOTIFIED THAT on a date and time to be set by the clerk at
4 the time of filing, in Department 12 of the above entitled Court before the Honorable
5 Charles Treat, Plaintiffs Angelo Kalaveras and Emad Missreezadah (“Plaintiffs”) will apply
6 for an order: (1) preliminarily approving the proposed settlement of this class and
7 representative action with Defendant NCR Corporation (“Defendant”); (2) for settlement
8 purposes only, conditionally certifying the Class, which is comprised of “all individuals who
9 were employed by Defendant in California as hourly, non-exempt employees during the
10 Class Period” of June 25, 2019 through July 19, 2022; (3) provisionally appointing Plaintiffs
11 as the representatives of the Class; (4) provisionally appointing Norman B. Blumenthal,
12 Kyle R. Nordrehaug, and Aparajit Bhowmik of Blumenthal Nordrehaug Bhowmik De
13 Blouw LLP and Robert J. Wasserman and Jenny D. Baysinger of Mayall Hurley P.C. as
14 Class Counsel for the Class; (5) approving the form and method for providing class-wide
15 notice; (6) directing that notice of the proposed settlement be given to the class; (7)
16 appointing Simpluris, Inc. as Settlement Administrator, and (8) scheduling a final approval
17 hearing date to consider Plaintiffs’ motion for final approval of the settlement and entry of
18 the Judgment, and Plaintiffs’ motion for approval of attorneys' fees and expenses.

19 This unopposed motion for preliminary approval of the class and representative
20 action settlement is brought pursuant to California Rules of Court, rule 3.769. Plaintiffs’
21 motion for preliminary approval will be based on this notice of motion and motion, the
22 accompanying memorandum of points and authorities, the Declaration of Kyle Nordrehaug,
23 the Declaration of Jenny D. Baysinger, the Class and Representative Action Settlement
24 Agreement (“Agreement”) between the parties, and the complete files and records in this
25 action. Because all parties have agreed to the proposed class and representative action
26 settlement, this motion is not opposed by Defendant.

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1 Respectfully submitted,

2 Dated: January 18, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

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