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Attorneys for Plaintiff Bethany A. Butler, on behalf of herself
and similarly-situated and aggrieved employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

BETHANY A. BUTLER, on behalf of
herself and similarly-situated and aggrieved
employees,

Plaintiff,

v.

POWERSCHOOL GROUP LLC, a
Delaware Limited Liability Company; and
DOES 1 through 10, Inclusive,

Defendants.

Lead Case No. 34-2021-00299363-CU-OE-GDS
ASSIGNED FOR ALL PURPOSES TO:
The Honorable Jill H. Talley
Department 27

CLASS AND REPRESENTATIVE ACTION

**NOTICE OF MOTION AND PLAINTIFF'S
MOTION FOR PRELIMINARY APPROVAL
OF CLASS, REPRESENTATIVE, AND
COLLECTIVE ACTION SETTLEMENT**

Date: January 5, 2024
Time: 9:00 a.m.
Dept.: 27
Judge: Honorable Jill H. Talley

Complaint filed: April 26, 2021
Trial date: Not set

PLEASE TAKE NOTICE, on January 5, 2024 at 9:00 a.m., or as soon as the matter may be heard in Department 27 of the above-captioned court, located at Gordon D. Schaber Courthouse, 720 9th Street, Sacramento, California, 95814, the Honorable Jill H. Talley presiding, Plaintiff Bethany A. Butler, on behalf of herself and putative class, will move this Court for an Order:

1. Preliminarily approving the Class, PAGA, and Collective Action Settlement as fair, adequate, and reasonable based upon the terms set forth in the Stipulation of Class, Representative (“PAGA”), and Collective Action Settlement Agreement (“Agreement”), including payment by Defendant PowerSchool Group LLC of the Gross Fund Value of \$750,000;

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

3. Approving Notice of Settlement be mailed via first class U.S. Mail to all Settlement Class Members advising them of the pendency of Class Action, proposed Settlement, manner and procedure to submit requests for exclusion and objections to the Settlement, automatic payment of their share of the Class Settlement Fund without the need to return a claim form, date set for the Final Approval hearing, and of the right to appear at the Hearing;

4. Appointing Cohelan Khoury & Singer and D.Law, Inc. as Class Counsel;

5. Appointing Plaintiff Bethany A. Butler as Class Representative;

6. Appointing Rust Consulting, Inc. as the Settlement Administrator; and

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

This motion is made based on this Notice, Points and Authorities, Declarations of Class Counsel Michael D. Singer and Emil Davtyan, and Class Representative Bethany Butler, Declaration of Eric Bishop on behalf of Rust, the Agreement, [Proposed] Order Granting Preliminary Approval, the Court’s files, and such other evidence the Court may consider.

Pursuant to Local Rule 1.06 (A), the court will make a tentative ruling on the merits of this matter by 2:00 p.m., the court day before the hearing. The complete text of the tentative

1 rulings for the department may be downloaded off the court's website. If the party does not
2 have online access, they may call the dedicated phone number for the department as referenced
3 in the local telephone directory between the hours of 2:00 p.m. and 4:00 p.m. on the court day
4 before the hearing and receive the tentative ruling. If you do not call the court and the opposing
5 party by 4:00 p.m. the court day before the hearing, no hearing will be held.

6 COHELAN KHOURY & SINGER
7 D.LAW, INC.

8 Dated: December 12, 2023

9 By: 
10 Michael Singer, Esq.
11 Rosemary C. Khoury, Esq.
12 Attorneys for Plaintiff Bethany A. Butler, on behalf of
13 herself and similarly-situated and aggrieved employees
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