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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF CONTRA COSTA

JESUS AGUILAR, on behalf of the State of
California, as a private attorney general,

Plaintiff,

vs.

B.I. INCORPORATED, a Corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: MSC21-01170

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION TO APPROVE PAGA
SETTLEMENT**

Hearing Date:

Hearing Time:

Judge: Hon. Judge Edward Weil

Dept.: 39

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

2 YOU ARE HEREBY NOTIFIED THAT at _____ a.m./p.m. on
3 _____, 2023, or as soon thereafter as the matter can be heard, in Department 39 of
4 the above-entitled Court, Plaintiff Jesus Aguilar ("Plaintiff"), pursuant to labor Code section
5 2699(1)(2), will apply for an Order Approving the parties' PAGA Settlement and entry of the
6 agreed-upon Proposed Final Judgment, which are filed concurrently herewith. Defendant has not
7 provided any indication that they oppose Plaintiff's Motion.

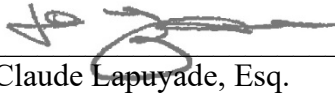
8 This Motion will be made on the grounds that the proposed PAGA Settlement is fair,
9 adequate, reasonable, and in the best interests of the State of California and the aggrieved
10 employees. This Motion will be based on this notice, the accompanying points and authorities, the
11 Declarations of Shani O. Zakay, Jean-Claude Lapuyade and Norman B. Blumenthal and the
12 complete files and records in this action.

13 Plaintiff respectfully requests that, pursuant to the specific terms (including timing and
14 manner) as set forth in the executed Joint Stipulation of Settlement of PAGA Action and Release
15 of PAGA Claims (the "Settlement Agreement") and assuming conditions are met therein, the Court
16 (1) grant approval of the parties' PAGA Settlement; (2) appoint ILYM Group, Inc. as the Settlement
17 Administrator; and (3) award Plaintiff's Counsel their fees and litigation costs. Plaintiff also
18 requests that the Court sign and enter the proposed PAGA Settlement Approval Order and Final
19 Judgment, filed concurrently herewith.

20
21 Dated: June 20, 2023

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22
23 By:



Jean-Claude Lapuyade, Esq.
Shani O. Zakay, Esq.
Attorney for Plaintiff and the PAGA Members