

Armond M. Jackson, SBN 281547

ajackson@jacksonapc.com

Andrea M. Fernandez-Jackson, SBN 295924

afernandez@jacksonapc.com

Anthony S. Filer Jr., SBN 337704

afiler@jacksonapc.com

JACKSON LAW, APC

2 Venture Parkway, Ste. 240

Irvine, California 92618

Phone (949) 281-6857

Fax (949) 777-6218

Attorneys for Plaintiff Manuel Villegas,
individually, and on behalf of all other similarly
situated employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO COUNTY**

MANUEL VILLEGAS, as an individual,
and on behalf of other similarly situated
employees,

Plaintiff,

vs.

FIBER CARE BATHS, INC., a California
corporation, and DOES 1-50, inclusive,

Defendant.

Case No.: CIVSB2114736

Assigned for all purposes to:
Hon. David Cohn
Dept. S26

**PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: January 23, 2023

Time: 10:00 a.m.

Place: Department S26

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

2 **PLEASE TAKE NOTICE** that on January 23, 2023 at 10:00 a.m., or as soon thereafter as
3 counsel may be heard, in Department S26 of the above-captioned court, located at 247 W. Third Street,
4 San Bernardino California 92415, the Honorable David Cohn, presiding, Plaintiff Manuel Villegas and
5 Ernesto Rivera, will, and hereby does, move this Court to:

6 1. Preliminarily approve the settlement described in the Stipulation of Class Action
7 Settlement (attached as **Exhibit A** to the Declaration of Armond M. Jackson), which contains the
8 principal terms of the class action settlement between Plaintiff Manuel Villegas and Plaintiff Ernesto
9 Rivera, and Defendant Fiber Care Baths, Inc. (“Defendants”);

10 2. Consolidate the action *Manuel Villegas v. Fiber Care Baths, Inc.*, a California
11 Corporation; and DOES 1 through 50, inclusive, Case No. CIVSB2114736 and *Ernesto Rivera v. Fiber*
12 *Care Baths, Inc.*, a California Corporation; and DOES 1 through 50, inclusive, Case No.
13 CIVSB2114174;

14 3. Conditionally certify the proposed Settlement Class;

15 4. Approve distribution of the proposed Notice of Class Action and Exclusion Form.

16 5. Appoint Plaintiff Manuel Villegas as the class representative;

17 6. Appoint Plaintiff Ernesto Rivera as the class representative

18 7. Appoint Jackson Law, APC as class counsel;

19 8. Appoint Justice Law Corporation as class counsel;

20 9. Appoint ILYM Group, Inc. as the settlement administrator; and

21 10. Set a hearing date for final approval of the settlement.

22 This Motion is based upon: (1) this Notice of Motion and Motion; (2) the Memorandum of
23 Points and Authorities in Support of Motion for Preliminary Approval of Class Action Settlement; (3) the
24 Declaration of Armond M. Jackson; (4) the Declaration of Douglas Han; (5) the declaration of Manuel
25 Villegas; (6) the declaration of Ernesto Rivera; (7) the Notice of Class Action Settlement; (8) the
26 [Proposed] Order Granting Preliminary Approval of the Stipulation of Class Action Settlement; (9) the
27

1 records, pleadings, and papers filed in this action; and (9) such other documentary and oral evidence or
2 argument as may be presented to the Court at or prior to the hearing of this Motion.

3
4 Dated: September 28, 2022

Respectfully submitted,

5 By: /s/ Armond M. Jackson

Armond M. Jackson, Esq.

6 Andrea M. Fernandez-Jackson, Esq.

7 Anthony S. Filer Jr., Esq.

JACKSON LAW, APC

8 Attorneys for Plaintiff Manuel Villegas and all other
9 similarly situated employees
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27