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7 Attorneys for Plaintiff and others similarly situated

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 KEITH GUTHRIE, individually, on a
12 representative basis, and on behalf of all
13 others similarly situated;

14 Plaintiff,

15 vs.

16 ITS LOGISTICS, LLC, a Delaware
17 Company, and DOES 1 through 20,
18 inclusive;

19 Defendants.

Case No.: 1:21-CV-00729-KES-EPG

FRCP RULE 23 CLASS ACTION

**PLAINTIFF'S NOTICE OF
MOTION AND COMBINED
MOTION FOR FINAL APPROVAL
OF CLASS ACTION
SETTLEMENT AND
ATTORNEYS' FEES, COSTS,
EXPENSES, AND SERVICE
AWARD**

Hearing

Date: January 8, 2026
Time: 10:30 a.m.
Courtroom: 6

Complaint filed: March 9, 2021

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on January 8, 2026 at 1:30 p.m., or as soon
3 thereafter as the matter may be heard in the above-entitled Court located in Courtroom 6
4 at 2500 Tulare Street, Fresno, CA 93721, Plaintiff Keith Guthrie will move, pursuant to
5 FRCP Rule 23, for an order granting final approval of the class action settlement between
6 Plaintiff and Defendant ITS Logistic, LLC (“ITS”). Additionally, pursuant to the Court’s
7 September 29, 2025, Plaintiff combines this motion for final approval with his motion for
8 attorneys’ fees, costs, expenses, and service award. (*See* EFC No. 92, ¶ 10).

9 This motion, which is supported and unopposed by Defendant ITS, seeks final
10 approval of a \$550,000 settlement on behalf of the Class Members. A Proposed order to
11 this effect is filed concurrently herewith.

12 Specifically, Plaintiff will and hereby does move the Court to grant final approval
13 of the Class Action Settlement Agreement and Release of Claims (the “Settlement
14 Agreement”), and enter the proposed order and final judgment filed concurrently
15 herewith:

- 16 1. Finally certifying the Class, as defined in the Settlement Agreement and the
17 Court’s Order Granting Preliminary Approval of the Settlement;
- 18 2. Finally appointing Plaintiff as Class Representative for purposes of
19 settlement;
- 20 3. Finally appointing Brian Mankin and Misty Lauby as Class Counsel for
21 purposes of settlement;
- 22 4. Finding that the Class Notice was properly provided to the Class in
23 accordance with the Court’s Order Granting Plaintiff’s Motion for Class
24 Certification and Preliminary Approval of a Class Action Settlement (ECF
25 92);
- 26 5. Finally approving the settlement as fair, adequate, and reasonable, based
27 upon the terms set forth in the Settlement Agreement;
- 28

- 1 6. Binding Participating Class Members and Aggrieved Employees to the terms
2 of the Settlement Agreement, including the Released Class Claims and
3 PAGA Released Claims;
4 7. Retaining jurisdiction to enforce the Settlement Agreement;
5 8. Approving Attorneys' Fee, Costs, Expenses, and Service Award.

6 This Motion is based upon this Notice, the Memorandum of Points and
7 Authorities, the Class Action Settlement Agreement and Release of Claims, the
8 declarations of Plaintiff's Counsel (Misty Lauby) and Plaintiff Keith Guthrie filed
9 herewith, and the proposed Order submitted herewith, the pleadings and records on file
10 with this Court and on such oral and documentary evidence as may be presented at the
11 time of hearing.
12

13 Dated: December 9, 2025

LAUBY, MANKIN & LAUBY LLP

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15 BY: s/ Misty M. Lauby
16 Misty M. Lauby, Esq.
17 Attorneys for Plaintiff and the similarly
18 situated employees
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