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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

11 JAMIE JAMES and SPENCER JOHNSTON,
12 individually and in their representative capacity,

13 Plaintiffs,

14 vs.

15 J.J. KELLER & ASSOCIATES, INC., and
16 DOES 1-50, inclusive,

17 Defendants.

Case No.: 21STCV10996

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

**Complaint Filed: March 9, 2021, and
January 4, 2022**

Hearing Information

Date: August 3, 2022

Time: 10:00 a.m.

Dept.: 7

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NOTICE OF MOTION AND MOTION

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

PLEASE TAKE NOTICE that on August 3, 2022 at 10:00 a.m., or as soon thereafter as the matter may be heard, in Department 7 of the above-captioned Court, located at 111 N. Hill Street, Los Angeles, CA 90012, Plaintiffs Jamie James, Spencer Johnston and the Putative Class (collectively, “Plaintiffs”) will and hereby do move for an order: (1) granting class certification of the below-defined Class for settlement purposes only pursuant to Code of Civil Procedure § 382; (2) preliminarily approving the proposed class action settlement set forth in the Class Action Settlement Agreement and Release of Claims (hereafter, the “Settlement”) entered into by them and Defendant J.J. Keller & Associates, Inc. (“Defendant”); (3) appointing Robert Ottinger of the Ottinger Firm, P.C as Class Counsel for the Class; (4) appointing Plaintiffs as the Class Representatives for the Class; (5) approving the proposed notice procedure and related forms; (6) directing that notice be mailed to the Class; (7) approving the PAGA settlement and (8) setting a date for a final approval hearing.

This Motion is made on the following grounds: (1) the Class meets all the requirements for class certification for settlement purposes only under Code of Civil Procedure § 382; (2) Plaintiffs and their counsel are adequate to represent the Class; (3) the Settlement is a fair, adequate, and reasonable compromise of the disputed wage and hour claims in this case; (4) the proposed notice procedure fully comports with all due process requirements; and (5) in view of the foregoing, the Settlement should be preliminarily approved, notice should be disseminated to the Class, a final approval hearing should be scheduled, the [Proposed] Order Granting Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement should be entered, and the PAGA settlement approved.

This Motion is based on this Notice of Motion and Motion, the attached Memorandum of Points and Authorities, the Declaration of Robert Ottinger in support thereof, all exhibits thereto, all papers and pleadings on file with the Court in this action, all matters judicially noticeable, and on such oral and documentary evidence as may be presented in connection with the hearing on the Motion¹.

¹ Plaintiff respectfully requests a memorandum longer than the 15-page requirement per Rule 3.113 of the California Rules of Court

Respectfully submitted,
THE OTTINGER FIRM, P.C.

Dated: April 20, 2022



Robert Ottinger
Attorneys for Plaintiffs