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Attorneys for Plaintiff

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

VICTOR HERNANDEZ, on behalf of
himself and on behalf of all persons similarly
situated,

Plaintiff,

vs.

MITSUBISHI CEMENT CORPORATION, a
Corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. CIVSB2125260

[Consolidated with Case No. CIVSB2133252]

**NOTICE OF MOTION AND MOTION FOR
FINAL APPROVAL OF CLASS
SETTLEMENT**

Hearing Date: October 17, 2023

Hearing Time: 1:30 p.m.

*[Hearing scheduled by Order dated May 31,
2023 at paragraph 14]*

Judge: Hon. Joseph T. Ortiz

Dept: 17

Date Filed: August 11, 2021

Trial Date: Not set

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

2 YOU ARE HEREBY NOTIFIED THAT at 1:30 p.m. on October 17, 2023 or as soon thereafter
3 as the matter can be heard, in Department 17 of the above-entitled Court before the Honorable Joseph
4 T. Ortiz, Plaintiff Victor Hernandez ("Plaintiff") will move for an order granting (1) Final Approval of
5 the Class Action Settlement, and (2) Entry of the Final Approval Order and Judgment.

6 This motion is brought in accordance with the Order dated May 31, 2023, and California Rules
7 of Court, rule 3.769. This Motion will be based on this notice, the accompanying points and authorities,
8 the Declaration of Norman Blumenthal, the Declaration of Nicole Bench from ILYM Group (the
9 Administrator), the Declaration of Plaintiff Victor Hernandez, the Class Action and PAGA Action
10 Settlement Agreement (the "Agreement"), and the complete files and records in this action.

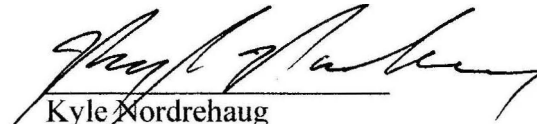
11 Because Plaintiff and Defendant Mitsubishi Cement Corporation ("Defendant") have agreed to
12 the proposed class settlement and have met and conferred regarding the motion, this motion is not
13 opposed. Currently, there have been no objections submitted by the Class.

14 Respectfully submitted,

15 Dated: September 19, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

17 By:

18 
19 Kyle Nordrehaug
Attorney for Plaintiff