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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

SALVADOR VENEGAS and SERGIO
LAINEZ, on behalf of themselves and on
behalf of all persons similarly situated,
and on behalf of the State of California, as
private attorney generals,

Plaintiff,

vs.

WWF OPERATING COMPANY, LLC, a
Limited Liability Company; DANONE
NORTH AMERICA PUBLIC BENEFIT
CORPORATION, a Corporation;
DANONE US, LLC, a Limited Liability
Company; and DOES 1 through 50,
inclusive,

Defendants.

CASE NO.: **21STCV20991**

[Consolidated with Case No. 21PSCV00643
and Case No. 21PSCV01017]

**NOTICE OF MOTION AND
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF
CLASS SETTLEMENT**

Hearing Date: May 10, 2023

Hearing Time: 9:00 a.m.

Judge: Hon. Maren Nelson
Dept.: 17

Action Filed: June 4, 2021

Trial Date: Not set

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

2 YOU ARE HEREBY NOTIFIED THAT at 9:00 a.m. on May 10, 2023, or as soon
3 thereafter as the matter can be heard, in Department 17 at the above entitled Court before the
4 Honorable Maren Nelson, Plaintiffs Salvador Venegas and Plaintiff Sergio Lainez
5 (collectively, “Plaintiffs”) will apply for an order: (1) preliminarily approving the proposed
6 settlement of this class action with Defendants WWF Operating Company, LLC, Danone
7 North America Public Benefit Corporation and Danone US, LLC (“Defendants”); (2) for
8 settlement purposes only, conditionally certifying the Class, which is comprised of “all
9 individuals who are or previously were employed by Defendants WWF Operating Company,
10 LLC, Danone North America Public Benefit Corporation and Danone US, LLC in California
11 who were classified as hourly, non-exempt employees at any time during the Class Period”,
12 which is from June 4, 2017 through August 5, 2022; (3) provisionally appointing Plaintiffs
13 as the representative of the Class; (4) provisionally appointing Norman B. Blumenthal, Kyle
14 R. Nordrehaug, and Aparajit Bhowmik of Blumenthal Nordrehaug Bhowmik De Blouw LLP
15 and Edwin Aiwasian, Arby Aiwasian, and Joanna Ghosh of Lawyers for Justice, P.C. as
16 Class Counsel; (5) approving the form and method for providing class-wide notice;
17 (6) directing that notice of the proposed settlement be given to the class; (7) appointing
18 ILYM Group as Administrator, and (8) scheduling a final approval hearing date to consider
19 Plaintiffs’ motion for final approval of the settlement and entry of the Judgment, and
20 Plaintiffs’ motion for approval of attorneys' fees and expenses.

21 This unopposed motion for preliminary approval of the class settlement is brought
22 pursuant to California Rules of Court, rule 3.769. Plaintiffs’ motion will be based on this
23 notice of motion and motion, the accompanying memorandum of points and authorities, the
24 Declaration of Kyle Nordrehaug, the Declaration of Salvador Venegas, the Declaration of
25 Sergio Lainez , the Declaration of Edwin Awazian, the Class Action and PAGA Settlement
26 Agreement (“Agreement”) between the parties, and the complete files and records in this
27 action. Because all parties have agreed to the proposed class settlement, this motion is not
28 opposed by Defendants.

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Respectfully submitted,

Dated: January 18, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

By: /s/ Kyle Nordrehaug
Norman B. Blumenthal, Esq.
Kyle R. Nordrehaug, Esq.
Attorney for Plaintiffs