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ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
02/23/2023 at 06:51:00 PM
Clerk of the Superior Court
By Elizabeth Reyes, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

DEVIKA PATEL, Individually and on
behalf of all other current and former
similarly-situated and aggrieved
employees of Defendants in the State of
California,

Plaintiffs,

v.

APEX RECOVERY, LLC and DOES 1
through 50, inclusive,

Defendants.

Case No.: 37-2021-00044618-CU-OE-CTL

Unlimited Civil - Amount Demanded
Exceeds \$25,000.00

**PLAINTIFF DEVIKA PATEL'S
NOTICE OF *UNOPPOSED* MOTION
AND MOTION FOR AN ORDER 1)
PROVISIONALLY CERTIFYING
SETTLEMENT CLASS; 2)
PRELIMINARILY APPROVING
CLASS SETTLEMENT; 3)
DIRECTING DISTRIBUTION OF
NOTICE OF SETTLEMENT TO THE
CLASS; 4) APPOINTING CLASS
COUNSEL AND CLASS
REPRESENTATIVE; AND 5)
SETTING A HEARING FOR FINAL
APPROVAL OF CLASS
SETTLEMENT**

Hearing Date: March 17, 2023
Time: 9:30 A.M.
Date Complaint Filed: October 20, 2021
Judge: Hon. Kenneth Medel
Dept.: C-66

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2 **TO ALL PARTIES, THEIR ATTORNEYS OF RECORD AND THIS HONORABLE**
3 **COURT:**

4 **PLEASE TAKE NOTICE THAT** on March 17, 2023, at 9:30 a.m. in Department C-66 of the
5 California Superior Court, County of San Diego located at 330 W. Broadway, San Diego, CA 92101,
6 Plaintiff Devika Patel ("Plaintiff") hereby moves this Court, pursuant to California Code of Civil
7 Procedures section 382, for entry of the proposed Order submitted herewith: (1) provisionally certifying
8 the settlement class; (2) preliminarily approving the class action settlement; (3) directing distribution of
9 notice of settlement to the class; (4) appointing ShortLegal, APC as class counsel and the named Plaintiff
10 as class representative; and (5) setting a final approval hearing.

11 This Motion is supported by the following documents filed concurrently herewith: Memorandum
12 of Points and Authorities in Support of Motion for Order (1) provisionally certifying the settlement class;
13 (2) preliminarily approving the class action settlement; (3) directing distribution of notice of settlement to
14 the class; (4) appointing ShortLegal, APC as class counsel and the named Plaintiff as class representative;
15 and (5) setting a final approval hearing.

16 This motion is based on this Notice, Plaintiff's accompanying Memorandum of Points and
17 Authorities, the accompanying declaration of Brian R. Short, Esq. and exhibits hereto including the
18 Stipulated Settlement Agreement and Release of Claims and the Class Notice, and the pleadings, records
19 and files in this action and such argument and evidence which may be presented at or before the hearing.

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21 Dated: February 23, 2023

ShortLegal, APC



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24 By: _____

Brian R. Short, Esq.
Attorney for Plaintiff
Devika Patel