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

ANTHONY GUTIERREZ, as an
individual and on behalf of those
similarly situated,

Plaintiff,

vs.

OPTIONS FOR YOUTH-VICTOR
VALLEY, INC., a California
Corporation; OPTIONS FOR
YOUTH-ACTION, INC., a California
Corporation; OPTIONS FOR
YOUTH-CALIFORNIA, INC., a
California Corporation; OPTIONS FOR
YOUTH-DUARTE, INC., a California
Corporation; OPTIONS FOR
YOUTH-SAN BERNARDINO, INC., a
California Corporation; OPTIONS FOR
YOUTH-SAN GABRIEL, INC., a
California Corporation; OPTIONS FOR
YOUTH-SAN JUAN, INC., a California
Corporation; and Does 1 through 50,
Inclusive,

Defendants.

Case No. CIVSB2132685

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

Hearing Date: January 18, 2024
Hearing Time: 8:30 a.m.

Judge: Hon. Jessica Morgan
Dept: 26

Date Filed: November 24, 2021
Trial Date: Not set

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

3 YOU ARE HEREBY NOTIFIED THAT on January 18, 2024 at 8:30 a.m., in
4 Department 26 of the above entitled Court before the Honorable Jessica Morgan, Plaintiff
5 Anthony Gutierrez (“Plaintiff”) will apply for an order: (1) preliminarily approving the
6 proposed settlement of this class action with Defendants Options For Youth-Victor Valley,
7 Inc., Options For Youth-Acton, Inc., Options for Youth-California, Inc., Options for
8 Youth-Duarte, Inc., Options for Youth-San Bernardino, Inc., Options for Youth-San Gabriel,
9 Inc., and Options for Youth-San Juan, Inc. (“Defendants”); (2) for settlement purposes only,
10 conditionally certifying the Class, which is comprised of “all individuals who were
11 employed by Defendants in California and who were classified as a non-exempt employee at
12 any time during the Class Period” of September 23, 2020 through July 7, 2023; (3)
13 provisionally appointing Plaintiff as the representative of the Class; (4) provisionally
14 appointing Norman B. Blumenthal, Kyle R. Nordrehaug, Aparajit Bhowmik, Nicholas J. De
15 Blouw, Jeffrey S. Herman, Sergio J. Puche, and Trevor G. Moran of Blumenthal
16 Nordrehaug Bhowmik De Blouw LLP as Class Counsel for the Class; (5) approving the
17 form and method for providing class-wide notice; (6) directing that notice of the proposed
18 settlement be given to the Class; (7) appointing ILYM Group as the Administrator; and
19 (8) scheduling a final approval hearing date proposed for June 19, 2024 (or as soon
20 thereafter as is available for the Court) to consider Plaintiff’s motion for final approval of
21 the settlement and for approval of attorneys’ fees and expenses.

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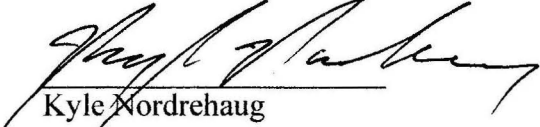
1 by Defendant.

2 Respectfully submitted,

3 Dated: December 20, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

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5 By



Kyle Nordrehaug
Attorney for Plaintiff