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SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF STANISLAUS

RACHEL V. CORREIA, an individual;
and on behalf of all others similarly
situated and aggrieved; REBEKAH
MEDINA, an individual; and on behalf of
all others similarly situated and aggrieved;
CARLOS COUSINEAU, an individual;
and on behalf of all others similarly
situated and aggrieved; DANIEL
GARCIA, an individual; and on behalf of
all others similarly situated and aggrieved,

Plaintiff,

vs.

GALLO GLASS COMPANY, a Nevada
corporation; NIGEL DART, an
individual; and DOES 1 through 100,
inclusive,

Defendants.

CASE No. CV-21-006459

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

Hearing Date: April 14, 2023

Hearing Time: 10:00 a.m.

Judge: Hon. Sonny S. Sandhu

Dept.: 24

Action Filed: December 1, 2021

Trial Date: Not Set

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

2 YOU ARE HEREBY NOTIFIED THAT at 10:00 a.m. on April 14, 2023, or as soon
3 thereafter as the matter can be heard, in Department 24 at the above entitled Court before the
4 Honorable Sonny S. Sandhu, Plaintiffs Rachel Correia, Rebekah Medina, Carlos Cousineau,
5 and Daniel Garcia (“Plaintiffs”) will apply for an order: (1) preliminarily approving the
6 proposed settlement of this class action with Defendants Gallo Glass Company and Nigel
7 Dart (“Defendants”); (2) for settlement purposes only, conditionally certifying the Class,
8 which is comprised of “all current and former employees of Defendant Gallo Class
9 Company who worked for Gallo Glass Company in the State of California, while classified
10 as non-exempt, at any time during the Class Period”; (3) provisionally appointing Plaintiffs
11 as the representatives of the Class; (4) provisionally appointing David D. Bibiyan, Jeffrey D.
12 Klein, Sarah H. Cohen and Vedang J. Patel of Bibiyan Law Group, P.C., and Norman B.
13 Blumenthal, Kyle R. Nordrehaug, Aparajit Bhowmik, Jeffrey S. Herman and Sergio J. Puche
14 of Blumenthal Nordrehaug Bhowmik de Blouw LLP.as Class Counsel; (5) approving the
15 form and method for providing class-wide notice; (6) directing that notice of the proposed
16 settlement be given to the class; (7) appointing Phoenix Settlement Administrators as
17 Settlement Administrator, and (8) scheduling a final approval hearing date to consider
18 Plaintiffs’ motion for final approval of the settlement and entry of the Judgment, and
19 Plaintiffs’ motion for approval of attorneys' fees and expenses.

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

28 Respectfully submitted,

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Dated: March 16, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

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