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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **IN AND FOR THE COUNTY OF SANTA CLARA**

15 JOSEPH DAGUIL, an individual, on
16 behalf of himself and on behalf of all
17 persons similarly situated,

18 Plaintiff,

19 vs.

20 ROCHE SEQUENCING SOLUTIONS,
21 INC., a Corporation; and DOES 1
22 through 50, inclusive,

23 Defendants.

Case No. 22CV393408

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

Hearing Date: June 8, 2023

Hearing Time: 1:30 p.m.

Judge: Hon. Sunil R. Kulkarni

Dept: 1

Date Filed: January 18, 2022

Trial Date: Not set

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

25 YOU ARE HEREBY NOTIFIED THAT on June 8, 2023 at 1:30 p.m., in Department
26 1 of the above entitled Court before the Honorable Sunil R. Kulkarni, Plaintiff Joseph
27 Daguil ("Plaintiff") will apply for an order: (1) preliminarily approving the proposed
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1 settlement of this class action with Defendant Roche Sequencing Solutions, Inc.
2 (“Defendant”); (2) for settlement purposes only, conditionally certifying the Class, which is
3 comprised of “all individuals who were employed by Defendant in California and classified
4 as a non-exempt employee at any time during the Class Period” of January 18, 2018 to
5 February 1, 2023; (3) provisionally appointing Plaintiff as the representative of the Class; (4)
6 provisionally appointing Norman B. Blumenthal, Kyle R. Nordrehaug, and Aparajit
7 Bhowmik of Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class Counsel for the
8 Class; (5) approving the form and method for providing class-wide notice; (6) directing that
9 notice of the proposed settlement be given to the Class; (7) appointing ILYM Group as the
10 Administrator; and (8) scheduling a final approval hearing date proposed for October 26,
11 2023 to consider Plaintiff’s motion for final approval of the settlement and entry of the
12 Judgment, and Plaintiff’s motion for approval of attorneys' fees and expenses.

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

20 Respectfully submitted,

21 Dated: May 11, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

22 By: /s/ Kyle Nordrehaug
23 Norman B. Blumenthal, Esq.
24 Kyle R. Nordrehaug, Esq.
25 Attorney for Plaintiff
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