

JAMES HAWKINS APLC

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VICTOR GONZALEZ.

[Additional Counsel Listed On Next Page]

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SACRAMENTO

ANDREW D. TAPPIN, DONYEISHA MISH,
DARNELL LEE, LUIS ROBLES, XOCHITL
VELASCO, and VICTOR GONZALEZ,
individually and on behalf of all others similarly
situated, and on behalf of the general public as
private attorney general,

Plaintiff,

vs.

TFORCE FREIGHT, INC., a Virginia
Corporation; and DOES 1 through 50, inclusive,
Defendants.

Case No. 34-2022-00314820-CU-OE-GDS

Assigned for All Purposes to:
Hon. Jill Talley
Dept. 23

NOTICE OF MOTION AND MOTION FOR
PRELIMINARY APPROVAL OF CLASS
AND REPRESENTATIVE ACTION
SETTLEMENT

Date: June 21, 2024
Time: 9:00 a.m.
Dept. 23

Reservation No.: A-314820-003

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

Norman B. Blumenthal (State Bar #068687)
Kyle R. Nordrehaug (State Bar #205975)
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Attorneys for Plaintiffs ANDREW D. TAPPIN, DONYEISHA MISH,
DARNELL LEE, LUIS ROBLES, and
XOCHITL VELASCO, and VICTOR GONZALEZ.

1 TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT on June 21, 2024, at 9:00 a.m., or as soon thereafter as the
3 matter may be heard, in Department 23 of the above-entitled Court, located at 720 9th St.,
4 Sacramento, California, Plaintiffs Andrew D. Tappin, Donyeisha Mish, Darnell Lee, Luis Robles,
5 Xochitl Velasco, and Victor Gonzalez, will move the Court for preliminary approval of a proposed
6 class action settlement in the above-captioned action under Cal. Rule of Court 3.769. The terms of
7 the settlement are contained within the Class Action and PAGA Settlement Agreement (the
8 “Settlement Agreement”), filed concurrently herewith as Exhibit 1 to the Declaration of Samuel D.
9 Almon. In addition, Plaintiffs request that the Court certify the class described in the Settlement
10 Agreement; approve the form of class notice attached as Exhibit 1 to the Settlement Agreement,
11 Makarem & Associates, APLC, James Hawkins APLC, and Blumenthal Nordrehaug Bhowmik De
12 Blouw LLP as Class Counsel, and plaintiffs Andrew D. Tappin, Donyeisha Mish, Darnell Lee, Luis
13 Robles, Xochitl Velasco, and Victor Gonzalez as the Class Representatives, approve CPT Group,
14 Inc. as the Settlement Administrator, and set a final approval hearing for December 6, 2024, or the
15 first available date on the Court’s calendar thereafter.

16 The motion will be based upon this notice of motion and motion, the accompanying
17 memorandum of points and authorities, declarations of Samuel D. Almon, Gregory Maura, Kyle
18 Nordrehaug, and admin, the Settlement Agreement, the Court’s entire file herein, and on such other
19 argument and evidence as the Court may entertain at the hearing on this motion.

20 Pursuant to Local Rule 1.06 (A), the court will make a tentative ruling on the merits of this
26 matter by 2:00 p.m., the court day before the hearing. The complete text of the tentative rulings for
22 the department may be downloaded off the court’s website. If the party does not have online access,
23 they may call the dedicated phone number for the department as referenced in the local telephone
24 directory between the hours of 2:00 p.m. and 4:00 p.m. on the court day before the hearing and receive
25 the tentative ruling. If you do not call the court and the opposing party by 4:00 p.m. the court day
26 before the hearing, no hearing will be held.

1 Dated: May 29, 2024

MAKAREM & ASSOCIATES, APLC

2 By: 
3 Samuel Almon
4 Attorneys for Plaintiffs DONYEISHA MISH,
5 DARNELL LEE, LUIS ROBLES, and
6 XOCHITL VELASCO, and VICTOR
7 GONZALEZ

8 Dated: May 29, 2024

JAMES HAWKINS APLC

9 By: /s/ James R. Hawkins
10 James R. Hawkins, Esq.
11 Gregory Mauro, Esq.
12 Michael Calvo, Esq.
13 Jeanne Sarmiento
14 Attorneys for Plaintiff ANDREW D. TAPPIN,
15 individually and on behalf of all others
16 similarly situated

17 Dated: 5/29/24

**BLUMENTHAL NORDREHAUG
BHOWMIK DE BLOUW LLP**

18 By: 
19 Norman B. Blumenthal
20 Kyle R. Nordrehaug
21 Nicholas J. De Blouw
22 Aparajit Bhowmik
23 Jeffrey S. Herman
24 Attorneys for Plaintiff VICTOR GONZALEZ