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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO-CENTRAL DIVISION

VERNON BARNETT, individually and
as an aggrieved employee pursuant to the
Private Attorneys General Act ("PAGA")
on behalf of the State of California and
other aggrieved employees,

Plaintiffs,

vs.

QW INSURANCE SOLUTIONS, LLC,
a Washington limited liability company;
LENDINGTREE INC., a Delaware
corporation; LENDINGTREE LLC, a
Delaware limited liability company; and
DOES 3 through 50,

Defendants.

Case No.: 37-2022-00019924-CU-OE-
CTL

Judge: Hon. Katherine Bacal
Dept. C-69

**PLAINTIFFS' NOTICE OF
MOTION AND MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Judge: Hon. Katherine Bacal
Dept.: C-69
Hearing Date: March 22, 2024
Hearing Time: 1:30 p.m.

Complaint Filed: May 25, 2022
Trial Date: NA
Discovery Cutoff: NA

[Decl. of Thomas D. Rutledge,
[Proposed] Order, and Mem. of P&As
filed concurrently herewith]

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

PLEASE TAKE NOTICE THAT on **March 22, 2024**, at **1:30 p.m.**
in Department C-69 of the San Diego Superior Court located at 330 West Broadway,
San Diego, California 92101, Plaintiff Vernon Barnett, individually and on behalf of
all others similarly situated (Plaintiffs) will and hereby does move this Court,
pursuant to Code of Civil Procedure § 382, for entry of the proposed Order submitted
herewith: (1) provisionally certifying the Wage and Hour Class and FCRA Class for
settlement purposes only; (2) preliminarily approving the Class Action and the PAGA
settlement; (3) directing distribution of the notices of settlement to the Wage and
Hour Class, FCRA Class and Aggrieved Employees; (4) appointing Thomas D.
Rutledge, Esquire, as class counsel and as counsel for the Aggrieved Employees as to
the PAGA claims and appointing the named Plaintiff as class representative; and (5)
setting a final approval hearing.

This motion is based on this Notice, Plaintiffs' accompanying Memorandum of
Points and Authorities, the accompanying declaration of Thomas D. Rutledge and
exhibits hereto including the Class Action and PAGA Settlement Agreement, the
Notice of FCRA Class Action Settlement, the Notice of Wage and Hour Class Action
and PAGA Settlement, and the pleadings, records and files in this action and such
argument and evidence which may be presented at or before the hearing.

Dated: December 12, 2023

Law Office of Thomas D. Rutledge

By: Thomas D. Rutledge
/s/Thomas D. Rutledge
Attorneys for Plaintiffs

PROOF OF SERVICE

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

I, THOMAS D. RUTLEDGE, the undersigned, am employed in the County of San Diego, State of California; I am over the age of 18 and not a party to the within action; my business address is 16956 Via de Santa Fe, Suite 1847, Rancho Santa Fe, California 92091-4606.

On December 12, 2023, I served the foregoing document(s) described as:

**PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT**

on the interested parties to this action by placing a copy thereof enclosed in a sealed envelope addressed as follows: **See Attached List.**

☒ **(BY MAIL)** I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. This correspondence was deposited with the United States Postal Service this same day in the ordinary course of business at our Firm's office address in San Diego, California. Service made pursuant to this paragraph, upon motion of a party served, shall be presumed invalid if the postal cancellation date of postage meter date on the envelope is more than one day after the date of deposit for mailing contained in this affidavit.

☒ **(BY E-MAIL via E-file)** I am readily familiar with the business practice for collection and processing of correspondence for emailing with the Court authorized third-party vendor. This correspondence was sent via email via this third-party vendor pursuant to the vendor's policies and practices.

☐ **(BY OVERNIGHT DELIVERY SERVICE)** I served the foregoing document by Federal Express, an express service carrier which provides overnight delivery, as follows. I placed true copies of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed to each interested party as set forth above, with fees for overnight delivery paid or provided for.

☐ **(BY PERSONAL SERVICE)** I caused such envelope to be delivered by hand to the offices of the above named addressee(s).

☐ **(BY FACSIMILE)** I caused such documents to be delivered via facsimile to the offices of the addressee(s) at the following facsimile number:

Executed December 12, 2023, at San Diego, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

THOMAS D. RUTLEDGE
/s/THOMAS D. RUTLEDGE

SERVICE LIST

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