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6 Attorneys for Plaintiff GERARDO DIAZ,
on behalf of himself, all others similarly
7 situated, and on behalf of the general public.

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF SAN DIEGO**

10
11 GERARDO DIAZ, on behalf of himself, all
others similarly situated, and on behalf of the
12 general public,

13 Plaintiff,

14 v.

15 CMC AMERICA, LLC; and DOES 1 through
16 100,

17 Defendants.
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Case No.: 37-2022-00019716-CU-OE-CTL

**NOTICE OF PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT, CONDITIONAL
CERTIFICATION, APPROVAL OF CLASS
NOTICE, SETTING OF FINAL APPROVAL
HEARING DATE**

Date: January 26, 2024
Time: 9:00 a.m.
Dept.: C-73

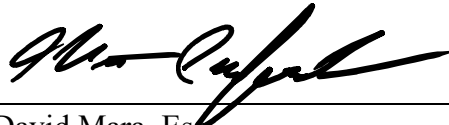
1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on January 26, 2024 at 9:00 a.m., or as soon thereafter as the
3 matter can be heard, in Department C-73 of the San Diego County Superior Court, located at 330 W
4 Broadway, San Diego, California 92101, before the Honorable Joel R. Wohlfeil, Plaintiff Gerardo
5 Diaz will move the Court for Preliminary Approval of Class Action Settlement; Conditional
6 Certification; Approval of Class Notice; and Setting of Final Approval Hearing Date.

7 This motion will be based on this Notice, the Memorandum of Points and Authorities, the
8 Declaration of David Mara, Esq., any and all documents filed in this matter, and any argument that
9 may be presented at the hearing, and upon such other matters as this Court may consider.

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11 Dated: January 3, 2024

MARA LAW FIRM, PC

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14 David Mara, Esq.
15 Matthew Crawford, Esq.

16 Attorneys for Plaintiff GERARDO DIAZ, on behalf of
17 himself and all others similarly situated, and on behalf of
18 the general public
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