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on behalf of himself and all others similarly situated

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Attorneys for Plaintiffs HOWARD MOORE,
on behalf of himself and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

ANTHONY GARCIA, on behalf of himself, and
all persons similarly situated,

Plaintiff,

v.

SYSCO RIVERSIDE, INC., a Delaware
Corporation; SYSCO CORPORATION, a
Delaware Corporation; and DOES 1 through 50
inclusive,

Defendants.

Case No. CVRI2103935

[Consolidated with Case No.CVRI2201916]

Assigned for All Purposes to:
Hon. Harold W. Hopp, Dept. 1

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

Date: June 26, 2024
Time: 8:30 a.m.
Dept.: Dept. 1

Trial Date: None set

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

2 **PLEASE TAKE NOTICE** that on June 26, 2024, at 8:30 a.m., or as soon thereafter as this matter
3 may be heard in Department 1 of the Riverside County Superior Court, located at 4050 Main Street,
4 Riverside, CA 92501, Plaintiffs Anthony Garcia and Howard Moore (“Plaintiffs”), by and through
5 counsel, will and hereby do move the Court for an order:

6 1. Granting Plaintiffs’ Motion for Preliminary Approval of the Class Action and PAGA
7 Settlement Agreement reached in this matter;

8 2. Provisionally certifying the Class for settlement purposes only;

9 3. Approving as to form the Court Approved Notice of Class Action Settlement and Hearing
10 Date for Final Court Approval (“Class Notice”) and ordering that the Class Notice be distributed to all
11 Class Members;

12 4. Appointing Plaintiffs Anthony Garcia and Howard Moore as the Class Representatives;

13 5. Appointing ILYM Group, Inc. as the Administrator;

14 6. Appointing James R. Hawkins, Christina M. Lucio, and Mitchell J. Murray of James
15 Hawkins APLC and Samy M. Harmoush of Workers' Advocate Law Group P.C. as Class Counsel; and

16 7. Setting this matter for a hearing on the issues of final approval of the proposed Settlement,
17 approval of the Class Representative Service Payments, approval of a Class Counsel Fees Payment and a
18 Class Counsel Litigation Expenses Payment, approval of the PAGA Penalties, and approval of the
19 Administration Expenses Payment.

20 This motion is brought pursuant to rule 3.769 of the California Rules of Court and Labor Code
21 section 2699(1)(2) on the grounds that the proposed Settlement was reached as a result of informed arm’s-
22 length negotiations and is within the range of reasonableness to be finally approved as fair, adequate, and
23 reasonable in all respects.

24 Plaintiffs’ motion is based upon this Notice, the accompanying Memorandum of Points and
25 Authorities, the Class Action and PAGA Settlement Agreement, the declaration of James R. Hawkins and
26 the accompanying exhibits, the declaration of Samy M. Harmoush, which are filed and served

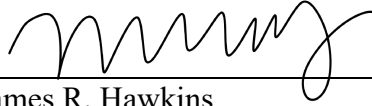
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1 concurrently with this motion, all pleadings and papers filed in this action, and upon any such other
2 evidence or argument that may be presented to the Court at the time of the hearing.

3 Dated: May 29, 2024

JAMES HAWKINS APLC

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5 By: 

6 James R. Hawkins
7 Christina M. Lucio
8 Mitchell J. Murray

9 Attorneys for Plaintiff
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