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15 Attorneys for Representative Plaintiff
16 and the Putative Class

17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
18 **COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**
19 **(UNLIMITED JURISDICTION)**

20 MARCO GUTIERREZ, on behalf of himself
21 and all others similarly situated;

22 Plaintiff,

23 v.

24 DEL WEST ENGINEERING, INC., a
25 California corporation, and DOES 1 through
26 50, inclusive;

27 Defendants.

Case No. 21STCV45477

CLASS ACTION

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

Date: November 29, 2022

Time: 10:00 a.m.

**Judge: Hon. Yvette M. Palazuelos
Dept.: 9**

1 **NOTICE OF MOTION**

2 **TO ALL PARTIES, BY AND THROUGH THEIR COUNSEL OF RECORD:**

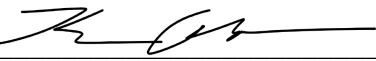
3 Please take notice that on November 29, 2022 at 10:00 a.m. in Department 9 of the
4 California Superior Court for the County of Los Angeles located at 312 North Spring Street, Los
5 Angeles, California 90012, Plaintiff Marco Gutierrez will, and hereby does, move the Court to
6 Preliminarily Approve a Class Action Settlement; conditionally certify the class; designate
7 Plaintiff Marco Gutterrez as the Class Representative for settlement purposes; designate Kevin
8 R. Allen of Allen Attorney Group, P.C. and Nicolas Orihuela of Orihuela Law Firm, P.C. as class
9 counsel; approve the class notice; and set the schedule for the final resolution of this matter.

10 Plaintiff bases this motion on this Notice of Motion; and the concurrently filed
11 Memorandum of Points and Authorities, the Declarations of Kevin R. Allen and Nicolas
12 Orihuela, exhibits thereto, and the Proposed Order. This Motion is unopposed.

13 Respectfully submitted,

14 Dated: October 3, 2022

ALLEN ATTORNEY GROUP PC

17 By: 
18 Kevin R. Allen
Attorneys for Plaintiff