

ELECTRONICALLY FILED

Superior Court of California,
County of Alameda

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By: Darnekia Oliver,
Deputy Clerk

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Attorneys for Plaintiff

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

CIVIL UNLIMITED DIVISION

ALEXANDER BRICK, an individual, on
behalf of himself and on behalf of all
persons similarly situated,

Plaintiffs,

vs.

CALIFORNIA HYDRONICS
CORPORATION, a California Corporation; and
DOES 1 through 50, inclusive.

Defendants.

CASE NO. 22CV018191

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

*Assigned for All Purposes to Dept. 23
Hon. Michael Markman*

Date: February 27, 2025
Time: 10:00 a.m.
Dept: 23

TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT ON February 27, 2025 at 10:00 a.m or shortly thereafter, located at the George E. McDonald Hall of Justice, 2233 Shore Line Drive, Alameda, CA 94501, in Department 23 before the Honorable Michael Markman, Plaintiff ALEXANDER BRICK ("Plaintiff"), will apply for an order:

(1) preliminarily approving the proposed settlement of this class and PAGA action with Defendant;

(2) for settlement purposes only, conditionally certifying the class, which is comprised of "all current and former non-exempt, hourly-paid employees who worked for CHC during the Class Period";

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

1 (3) provisionally appointing Plaintiff ALEXANDER BRICK as the Class and PAGA
2 representative;

3 (4) provisionally appointing Brooke B. Nevels and Christopher E. Nichols of NEVELS
4 NICHOLS, LLP; Lenden F. Webb of WEBB LAW GROUP, APC; and Norman B. Blumenthal,
5 Kyle R. Nordrehaug, and Aparajit Bhowmik of BLUMENTHAL NORDREHAUG BHOWMIK
6 DE BLOUW LLP, as Class Counsel for the Class;

7 (5) approving the form and method for providing notice to the class and aggrieved
8 employees;

9 (6) directing that notice of the proposed settlement be given to the class and aggrieved
10 employees;

11 (7) appointing Phoenix Settlement Administrators as the Settlement Administrator;

12 (8) and scheduling a final approval hearing date to consider Plaintiff's Motion for Final
13 Approval of the Settlement and entry of the judgment.

14 Plaintiff and Defendant have reached a full and final settlement of the above-captioned
15 action, which is embodied in the Class Action and PAGA Settlement Agreement
16 ("Agreement") attached to the Declaration of Brooke B. Nevels ("Decl. Nevels").

17 This motion for preliminary approval of the class action and PAGA settlement is
18 brought pursuant to California Rules of Court, Rule 3.769. Plaintiff's motion will be based on
19 this Notice, the accompanying memorandum of points and authorities, the Declaration of
20 Brooke B. Nevels, the Declaration of Lenden F. Webb, the Declaration of Kyle R. Nordrehaug,
21 the Declaration of Alexander Brick, the Declaration of Jodey Lawrence, the proposed order,
22 and the complete files and records in this action.

23 This motion will not be opposed by Defendant.

24 Dated: January 30, 2025

NEVELS NICHOLS, LLP

25
26 By Brooke B. Nevels
27 BROOKE B. NEVELS
28 CHRISTOPHER E. NICHOLS
Attorneys for ALEXANDER BRICK

PROOF OF SERVICE

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

I 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: 10089 Willow Creek Rd., Suite 200 San Diego, CA 92131. My email address is **Service@NevelsNichols.com**.

On **January 30, 2025**, I served the document(s) described as:

- I. NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS AND PAGA SETTLEMENT**
- II. MOTION FOR PRELIMINARY APPROVAL OF CLASS AND PAGA SETTLEMENT – MEMORANDUM OF POINTS AND AUTHORITIES**
- III. MOTION FOR PRELIMINARY APPROVAL OF CLASS AND PAGA SETTLEMENT– PROPOSED ORDER**
- IV. DECLARATION OF BROOKE B. NEVELS IN SUPPORT OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS AND PAGA SETTLEMENT**
- V. DECLARATION OF ALEXANDER BRICK IN SUPPORT OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS AND PAGA SETTLEMENT**
- VI. DECLARATION OF JODEY LAWRENCE ON BEHALF OF PHOENIX CLASS ACTION ADMINISTRATION SOLUTIONS REGARDING QUALIFICATIONS AND SETTLEMENT ADMINISTRATION**
- VII. DECLARATION OF LENDEN F. WEBB IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT**
- VIII. DECLARATION OF KYLE NORDREHAUG IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT**

on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope at: San Diego, California, addressed as follows:

Mark L. Jacuzzi (SBN 173220)
Sarah E. Lucas (SBN 148713)
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JACUZZI PC**
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Attorneys for Defendant

Lenden F. Webb
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Attorneys for Plaintiff

1 Email: LWebb@WebbLawGroup.com
2 Email: Service@ WebbLawGroup.com
3 *Attorneys for Plaintiff*
4
5

6 _____ (BY MAIL) I am readily familiar with this business' practice for collection and
7 processing of correspondence for mailing, and that correspondence, with postage thereon
8 fully prepaid, will be deposited with the U.S. Postal Service on the date hereinabove in
the ordinary course of business, at San Diego, California.

9 XX (BY E-MAIL) I caused the above-referenced document(s) to be electronically mailed to
10 the offices of the addressee(s) as a courtesy, pursuant to an applicable code or a valid
stipulation.

11 Executed on **January 30, 2025**, at San Diego, California

12 XX (STATE) I declare under penalty of perjury under the laws of the State of California that
13 the foregoing is true and correct.

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15 _____
16 RAHA RAZAVI
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Re: Case No. 22CV018191 - Motion Filing

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○ Dept. 23, Superior Court <dept23@alameda.courts.ca.gov>

Today at 1:53 PM

To: 📧 Raha Razavi; Cc: 📧 Christopher Nichols ▾

Hello counsel,

The reservation number is A-18191-001. Please include in your moving papers when filing.

Thank You,

Ana Liza Tumonong

Clerk to the Honorable Judge Michael Markman
Superior Court of California, County of Alameda
Administration Building, Dept. 23
1221 Oak Street, 4th Floor
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(510) 267-6939
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