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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **IN AND FOR THE COUNTY OF SAN FRANCISCO**

15 MATTHEW TRAVIS, an individual, on
16 behalf of himself and on behalf of all
17 persons similarly situated,

18 Plaintiff,

19 vs.

20 ALTO PHARMACY LLC, a Limited
21 Liability Company; DOES 1 through 50,
22 inclusive,

23 Defendants.

Case No. CGC-22-601836

[Consolidated with Case No. CGC-22-601841]

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

Hearing Date: November 2, 2023

Hearing Time: 9:30 a.m.

Judge: Hon. Richard B. Ulmer

Dept: 302

Action Filed: September 16, 2022

Trial Date: Not Set

24 **TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

25 YOU ARE HEREBY NOTIFIED THAT on November 2, 2023 at 9:30 a.m., in
26 Department 302 of the above entitled Court before the Honorable Richard B. Ulmer,
27 Plaintiff Matthew Travis ("Plaintiff") will apply for an order: (1) preliminarily approving the

1 proposed settlement of this class action with Defendant Alto Pharmacy LLC (“Defendant”);
2 (2) for settlement purposes only, conditionally certifying the Class, which is comprised of
3 “all individuals who were employed by Defendant in California on a non-exempt basis at
4 any time during the Class Period” of September 16, 2018 through July 3, 2023; (3)
5 provisionally appointing Plaintiff as the representative of the Class; (4) provisionally
6 appointing Norman B. Blumenthal, Kyle R. Nordrehaug, and Aparajit Bhowmik of
7 Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class Counsel for the Class; (5)
8 approving the form and method for providing class-wide notice; (6) directing that notice of
9 the proposed settlement be given to the Class; (7) appointing ILYM Group as the
10 Administrator; and (8) scheduling a final approval hearing date proposed for March 21, 2024
11 to consider Plaintiff’s motion for final approval of the settlement and entry of the Judgment,
12 and Plaintiff’s motion for approval of attorneys' fees and expenses.

13 This motion for preliminary approval of the class settlement is brought pursuant to
14 California Rules of Court, rule 3.769. Plaintiff’s motion will be based on this notice of
15 motion and motion, the accompanying memorandum of points and authorities, the
16 Declaration of Kyle Nordrehaug, the Class Action and PAGA Settlement Agreement
17 (“Agreement”) between the parties, and the complete files and records in this action.
18 Because all parties have agreed to the proposed class settlement, this motion is not opposed
19 by Defendant.

20 Respectfully submitted,

21 Dated: October 9, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

22 By: /s/ Kyle Nordrehaug
23 Norman B. Blumenthal, Esq.
24 Kyle R. Nordrehaug, Esq.
25 Attorney for Plaintiff
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