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Attorneys for PLAINTIFF

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

MANUEL GARCIA, an individual, on behalf of
himself, and on behalf of all persons similarly
situated,

Plaintiffs,

v.

SUBRTEX HOUSEWARE INC, a California
Corporation; and DOES 1-50, Inclusive,

Defendants.

Case No. 23STCV15402

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

Date: October 30, 2024

Time: 10:30am

Judge: Stuart M. Rice

Dept.: 1

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on October 30, 2024 at 10:30 a.m., or as soon thereafter as
3 counsel may be heard, in Department 1 of the Los Angeles Superior Court, the Honorable Judge Stuart
4 M. Rice presiding, plaintiff MANUEL GARCIA will, and hereby does, move this Court to:

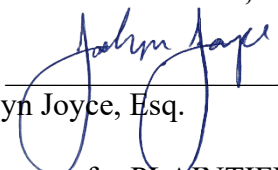
- 5 1. Preliminarily approve the settlement described in the Class Action and PAGA
6 Settlement Agreement (“Agreement”) attached as Exhibit 1 to the Declaration of Jaclyn Joyce, Esq.
7 filed concurrently herewith;
- 8 2. Conditionally certify the Settlement Class;
- 9 3. Approve distribution of the proposed Class Notice;
- 10 4. Appoint Plaintiff MANUEL GARCIA as the Class Representative;
- 11 5. Appoint the JCL Law Firm, APC and Zakay Law Group, APLC as Class Counsel; and
- 12 7. Set a hearing date for final approval of the settlement.

13 This Motion is based upon: (1) this Notice of Motion; (2) the Memorandum of Points and
14 Authorities in Support of Motion for Preliminary Approval of Class Action and PAGA Settlement; (3)
15 the Declaration of Jaclyn Joyce, Esq., (4) the Declaration of Jean-Claude Lapuyade, Esq.; (5) the
16 Declaration of Shani O. Zakay, Esq.; (6) the Declaration of Manuel Garcia; (7) the Declaration of the
17 Administrator; (8) the Class Action and PAGA Settlement Agreement and exhibit attached thereto;
18 (9) the [Proposed] Order Granting Preliminary Approval of Class Action and PAGA Settlement and
19 exhibits attached thereto; (10) the records, pleadings, and papers filed in this action; and (11) upon
20 such other documentary and oral evidence or argument as may be presented to the Court at or prior to
21 the hearing of this Motion.

22 As this Motion is unopposed, the Parties respectfully request relief from the page limit
23 requirement set by California Rules of Court, Rule 3.1113(d).

24 Dated: October 7, 2024

ZAKAY LAW FIRM, APLC

25 By: 
26 Jaclyn Joyce, Esq.

27 Attorneys for PLAINTIFF
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