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Attorneys for Plaintiffs Lori Mayo-Hicks and Magdalena Moya, the Class Members and Aggrieved Employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ**

LORI MAYO-HICKS, an individual;
and MAGDELENA MOYA, an
individual,

Plaintiffs,

v.

ALLEN PROPERTY GROUP, INC., a
California Corporation; and DOES 1–
50, inclusive,

Defendants.

Case No.: 24CV00617

**NOTICE OF MOTION AND MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT AND
SETTLEMENT UNDER PRIVATE
ATTORNEYS GENERAL ACT**

Hearing Date: July 22, 2025

Time: 8:30 a.m.

Department: 10

Judge: Hon. Timothy Schmal

Complaint filed: February 29, 2024

Trial date: Not set

ELECTRONICALLY FILED
Superior Court of California
County of Santa Cruz
6/27/2025 4:36 PM
Clerk of the Court by Deputy,
Karen Broughton



TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on July 22, 2025, at 8:30 a.m., in Department 10 of the Santa Cruz County Superior Court, located at 701 Ocean Street, Santa Cruz, California, Plaintiffs Lori Mayo-Hicks and Magdalena Moya, on behalf of themselves, the putative class members, and the State of California by and through the Labor Workforce & Development Agency, will and hereby does move the Court for an order:

- (1) Preliminarily approving the proposed Class & Paga Settlement Memorandum Of Understanding (“Settlement Agreement”);
- (2) Preliminarily certifying the proposed class;
- (3) Preliminarily appointing Frank Zeccola, Esq., of Costanzo Law Firm, APC as class counsel;
- (4) Approving payment of Plaintiffs’ counsel’s attorney’s fees in the amount of \$190,000 and costs in the amount of \$8,690;
- (5) Approving the proposed notice of Settlement to class members;
- (6) Approving an enhancement award to each of the Plaintiff in the amount of \$15,000.00,
- (7) Granting approval of the settlement under the Private Attorneys General Act, Labor Code sections 2698, *et seq.* for the payment of civil penalties to the State and the Aggrieved Employees;
- (8) Appointing Pheonix Settlement Administrators as the third-party Settlement Administrator and payment of its fees in the amount up to \$8,750.00; and
- (9) Setting a date for final settlement approval by this Court.

This motion is made pursuant to California Code of Civil Procedure section 382, and California Rules of Court, Rule 3.769, and under Labor Code section 2699, and on the grounds that the settlement is fair, reasonable and adequate and meets all requirements for approval under PAGA, and that the requested attorney’s fees and costs are fair and reasonable under the circumstances of the case.

This motion is based upon (1) this Notice of Motion for Preliminary Approval of Class Action and PAGA Settlement; (2) the Memorandum of Points and Authorities in Support of Motion for

1 Preliminary Approval of Class Action Settlement; (3) the Declaration of Frank Zeccola in Support of
2 Preliminary Approval of Class Action Settlement, and exhibits thereto; (4) the Cy Pres Declarations
3 of Counsel; (5) the Declaration of Lori Mayo-Hicks; (6) the Declaration of Magdalena Moya; (7) the
4 Proposed Order Conditionally Certifying the Settlement Class Granting Preliminary Approval of the
5 Settlement, and Scheduling Hearing on Final Settlement Approval; (8) the proposed forms of notice
6 of settlement; and (9) such other and further material or argument as may be presented at the hearing
7 on this motion in addition to the Court's records to date in this action.

8
9 Dated: June 27, 2025

Respectfully submitted,

COSTANZO LAW FIRM, APC

By: 

Frank Zeccola

Lori J. Costanzo

Luiza V. Dias

*Attorneys for Plaintiffs, Class Members and
Aggrieved Employees*