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SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CLARA

JENNIFER MONTOYA and JUAN
GONTEZ, individually, on behalf of
themselves and on behalf of all persons
similarly situated,

Plaintiffs,

vs.

FPR II, L.L.C., dba LEADPOINT
BUSINESS SERVICES, a Limited
Liability Company; and DOES 1 through
50, inclusive,

Defendants.

Case No. 22CV404499

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

Hearing Date: November 20, 2024

Hearing Time: 1:30 p.m.

Judge: Hon. Theodore C. Zayner

Dept.: 19

Action Filed: October 13, 2022

Trial Date: Not set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT on November 20, 2024 at 1:30 p.m., in
Department 19 of the above entitled Court before the Honorable Theodore C. Zayner,

1 Plaintiffs Jennifer Montoya and Juan Manso Gontez (“Plaintiffs”) will move for an order:
2 (1) preliminarily approving the proposed settlement of this class action with Defendant FPR
3 II, LLC, dba Leadpoint Business Services (“Defendant”); (2) for settlement purposes only,
4 conditionally certifying the Class, which is comprised of “all persons currently or formerly
5 employed by Leadpoint as nonexempt, hourly-paid employees during the period from
6 October 13, 2018, through January 25, 2024 (“Class Period”) in the State of California”; (3)
7 provisionally appointing Plaintiffs as the representatives of the Class; (4) provisionally
8 appointing Blumenthal Nordrehaug Bhowmik De Blouw LLP and Bibiyan Law Group, P.C.
9 as Class Counsel for the Class; (5) approving the form and method for providing notice to
10 the Class of the proposed settlement; (6) directing that notice of the proposed settlement be
11 given to the Class; (7) appointing ILYM Group as the Administrator; and (8) scheduling a
12 final approval hearing date for April 2, 2025 to consider the Plaintiffs’ motion for final
13 approval of the settlement and for approval of attorneys’ fees, expenses and the service
14 awards.

15 This motion for preliminary approval of the class settlement is brought pursuant to
16 California Rules of Court, rule 3.769. Plaintiffs’ motion will be based on this notice of
17 motion and motion, the accompanying memorandum of points and authorities, the
18 Declaration of Kyle Nordrehaug, the Declaration of David Bibiyan, the Declarations of the
19 Plaintiffs, the Joint Stipulation Re: Class Action and Representative Action Settlement
20 (“Settlement,” “Agreement” or “Settlement Agreement”) between the parties, and the
21 complete files and records in this action. Because all Parties have agreed to the proposed
22 class settlement, this motion is unopposed.

23 Respectfully submitted,

24 Dated: October 24, 2024

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

By: /s/ Kyle Nordrehaug
Kyle R. Nordrehaug, Esq.
Attorney for Plaintiffs