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SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

DANIEL CHILDERS, an individual,
on behalf of himself and on behalf of
all persons similarly situated,

Plaintiff,

vs.

OPTIONS FOR ALL, INC., a
Corporation; and DOES 1 through 50,
inclusive,

Defendants.

CASE No.: **37-2022-00043155-CU-OE-CTL**

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

Hearing Date: August 30, 2024
Hearing Time: 10:30 a.m.

Judge: Hon. Loren G. Freestone
Dept.: 64

Date Action Filed: November 26, 2022
Trial Date: Not set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT at 10:30 a.m. on August 30, 2024 in
Department 64 at the above entitled Court before the Honorable Loren G. Freestone,
Plaintiff Daniel Childers (“Plaintiff”) will apply for an order: (1) preliminarily approving the

1 proposed settlement of this class action with Defendant Options for All, Inc. ("Defendant");
2 (2) for settlement purposes only, conditionally certifying the Class, which is comprised of
3 "all individuals employed by Defendant Options for All, Inc. ("Defendant") in California
4 who were classified as non-exempt during the period September 27, 2019 to February 12,
5 2024 or the date on which the total number of workweeks worked by the Class Members
6 equals 68,839 (the "Class Period"), whichever is sooner"; (3) provisionally appointing
7 Plaintiff as the representative of the Class; (4) provisionally appointing Norman B.
8 Blumenthal, Kyle R. Nordrehaug, Aparajit Bhowmik, Nicholas J. De Blouw, Jeffrey S.
9 Herman, Sergio J. Puche, and Trevor G. Moran of Blumenthal Nordrehaug Bhowmik De
10 Blouw LLP as Class Counsel; (5) approving the form and method for providing class-wide
11 notice; (6) directing that notice of the proposed settlement be given to the Class; (7)
12 appointing ILYM Group, Inc. as Administrator, and (8) scheduling a final approval hearing
13 date, proposed for January 31, 2025 to consider Plaintiff's motion for final approval of the
14 settlement and for approval of attorneys' fees and expenses.

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

22 Respectfully submitted,

23 Dated: August 7, 2024

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

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