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Attorneys for Plaintiff IGNAIN PEREZ, on behalf of himself and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

JOSE GONZALEZ, an individual; IGNAIN PEREZ, an individual; ANTONIO SERRANO, an individual; on behalf of themselves and all other similarly situated

Plaintiff,

vs.

ROTO-ROOTER SERVICES COMPANY, an Iowa corporation; and DOES 1 through 100, inclusive,

Defendants.

CASE NO.: 22STCV34334

Assigned for all purposes to Hon. Stephanie M. Bowick, Dept. 19

PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT; MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATIONS OF JOSE GONZALEZ, IGNAIN PEREZ, ANTONIO SERRANO, AARON A. BARTZ, AND JOHN F. LITWIN IN SUPPORT; [PROPOSED] ORDER

Date: September 12, 2023

Time: 8:30 a.m.

Location: Dept. 19

Reservation ID: 898032856207

Action Filed: October 25, 2022

1 **TO THE HONORABLE COURT AND TO ALL PARTIES AND THEIR COUNSEL**
2 **OF RECORD:**

3 **PLEASE TAKE NOTICE** that on September 12, 2023, at 8:30 a.m., or as soon thereafter as
4 the matter may be heard before the Honorable Stephanie M. Bowick in Department 19 of the Los
5 Angeles County Superior Court – Stanley Mosk Courthouse, located at 111 North Hill Street , Los
6 Angeles, CA 90012, Plaintiffs Jose Gonzalez, Ignain Perez, and Antonio Serrano (hereinafter
7 “Plaintiffs”) will, and hereby do, move for an order:

8 • Granting preliminary approval of the proposed class action settlement described
9 herein and as set forth in the parties’ Joint Stipulation of Class Action Settlement (hereinafter
10 “Settlement,” “Agreement,” or “Settlement Agreement”), attached as “Exhibit 1” to the Declaration
11 of John F. Litwin, including, but not limited to, the means of allocation and distribution of funds,
12 attorneys’ fees and litigation costs and expenses to Class Counsel, the enhancement awards, and
13 settlement administration fees;

14 • Conditionally certifying the proposed Class for settlement purposes;
15 • Provisionally appointing Plaintiffs as the Class Representatives;
16 • Approving the proposed Notice of Settlement of Class Action Lawsuit (“Notice”),
17 attached as “Exhibit 2” to the to the Declaration of John F. Litwin;

18 • Directing the mailing of the Notice to the Class Members;
19 • Approving the proposed deadlines for the notice and settlement administration
20 process;

21 • Approving CPT Group, Inc. as the Settlement Administrator; and
22 • Scheduling a hearing to consider whether to grant final approval of the Settlement, at
23 which time the Court will also consider whether to grant final approval of the requests and allocations
24 for an award of attorneys’ fees and reimbursement of litigation costs and expenses to Class Counsel,
25 the enhancement award to the Class Representatives, and the settlement administration fees.

26 This motion is brought pursuant to California Rules of Court, rule 3.769, and based upon the
27 following memorandum of points and authorities, the Settlement Agreement, the Declarations of
28 Proposed Class Counsel in support thereof, as well as the pleadings and other records on file with the

1 Court in this matter, and such evidence and oral argument as may be presented at the hearing on this
2 motion.

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4 DATED: July 11, 2023

BARKHORDARIAN LAW FIRM, PLC

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/s/ John F. Litwin

By: _____

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John F. Litwin

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Attorneys for Plaintiff IGNAIN PEREZ and all
other similarly situated, and all aggrieved
employees

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