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SUPERIOR COURT OF CALIFORNIA

COUNTY OF SANTA BARBARA-COOK DIVISION

JOHN HILL, an individual; MARK GRAY, an
individual, on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

PACIFIC PETROLEUM CALIFORNIA, INC.,
and DOES 1-100, inclusive,

Defendants.

CASE NO. 15CV03056

[Complaint filed September 16, 2015]
[Assigned to Hon. James F. Rigali, Dept. SM-
2]

CLASS ACTION

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

*(Filed Concurrently with Memorandum of
Points and Authorities; Declarations of
Marcus J. Bradley, Christine Adams, David
Pourati, John Hill and Mark Gray)*

DATE: April 4, 2017

TIME: 8:30 a.m.

DEPT: SM 2

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Attorneys for Plaintiffs

1 NOTICE OF MOTION

2 **TO: ALL INTERESTED PARTIES:**

3
4 **PLEASE TAKE NOTICE** that on April 4, 2017, at 8:30 a.m. in Department SM2 of this Court
5 located at 312-E East Cook Street, Santa Maria, California, Plaintiffs John Hill and Mark Gray
6 (collectively "Plaintiffs") will and do hereby move this Court pursuant to Rule 3.769, California *Rules*
7 *of Court*, to enter an order:

8 1. Granting preliminary approval of the parties' non-reversionary \$250,000 class action
9 settlement (the "Settlement" or "Joint Stipulation"), embodied in the Stipulation for Class Action
10 Settlement which is attached as **Exhibit 1** to the Declaration of Marcus J. Bradley.

11 2. Approving the form of: **Exhibit 2** is the Notice of Proposed Class Action Settlement;
12 **Exhibit 3** is the Claim Form; and **Exhibit 4** is the Request for Exclusion of Class Action Settlement.

13 3. Appointing CPT Group, Inc., as the Settlement Administrator.

14 4. Scheduling a final approval hearing for a date 120 days after Preliminary Approval is
15 granted, or such later date as is available for the Court.

16 This Motion is made on the grounds that following meaningful discovery and exchange of
17 information and their participation in mediation with a very qualified and experienced mediator, the
18 parties negotiated at arm's length and in good faith the Settlement, which is fair, reasonable, and
19 adequate, and deserves preliminary approval by the Court.

20 The Motion is based on this Notice, the accompanying Memorandum of Points and Authorities,
21 Declaration of Marcus J. Bradley, Christine Adams, David Pourati, John Hill, and Mark Gray, and

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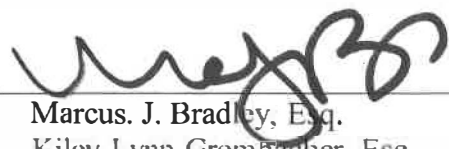
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1 (Proposed) Order; the Court's record of this action; all matters of which the Court may take notice;
2 and such other and further oral and/or documentary evidence as may be properly presented at the
3 hearing on this matter.

4
5 DATED: February 27, 2017

BRADLEY GROMBACHER, LLP
ADAMS LAW
LAW OFFICE OF DAVID POURATI, APC

6
7
8 By: 

Marcus. J. Bradley, Esq.
Kiley Lynn Grombacher, Esq.
Christine M. Adams, Esq.
David Pourati, Esq.
Attorneys for Plaintiffs

PROOF OF SERVICE

STATE OF CALIFORNIA)

COUNTY OF VENTURA)

I am employed in the County of Ventura, State of California. I am over the age of eighteen and not a party to the within action; my business address 2815 Townsgate Road, Suite 130, Westlake Village, California 91361.

On **February 27, 2017**, I served the foregoing documents described as **NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** on all interested parties in this action as follows: **SEE ATTACHED SERVICE LIST**

☒ **(VIA US MAIL)** I caused such envelope(s) to be deposited in the mail at Westlake Village, California with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **(VIA OVERNIGHT DELIVERY)** I caused to have served such document(s) by placing a true copy thereof, enclosed in a sealed envelope or package designated by _____ addressed as follows and delivered it to an authorized receiving station authorized by _____ to receive documents with delivery fees by our office.

☐ **(VIA FACSIMILE TRANSMISSION)** From Fax No. _____ to the fax numbers listed on the attached service list. The facsimile machine I used complied with Rule 2033(3) and no error was reported by the machine.

☐ **(VIA PERSONAL SERVICE)** I delivered such envelope(s) by hand to the offices of the addressee(s).

☐ **(VIA E-MAIL)** I caused to have such documents sent by electronic service [Fed. Rule Civ. Proc. Rule 5(b)(2)(a)] by electronically mailing a true and correct copy through _____ electronic mail system to the e-mail address(s) set forth below, or as stated on the attached service list per agreement in accordance with Federal Rules of Civil Procedure rule 5(b).

☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on February 27, 2017 at Westlake Village, California.



Melissa Tamura

John Hill v. Pacific Petroleum California, Inc.
Santa Barbara County Superior Court Case No. 15CV03056

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