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SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF KERN

ISAAC RODRIGUEZ, MARIA
ALVAREZ, CECILIO GUZMAN
VIVEROS, KATE LOPEZ and
GILBERTO SERRATOR MORENO,
individuals, on behalf of themselves and
on behalf of all persons similarly situated,

Plaintiffs,

vs.

FEGHALI FOODS, a Corporation; and
DOES 1 through 50, inclusive,

Defendants.

CASE NO.: **BCV-23-100142**

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

Hearing Date: May 30, 2024

Hearing Time: 8:30 a.m.

Judge: Hon. T. Mark Smith

Dept.: T-2

Action Filed: January 17, 2023

Trial Date: Not set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT at 8:30 a.m. on May 30, 2024 in
Department T-2 at the above entitled Court before the Honorable T. Mark Smith, Plaintiffs

1 Isaac Rodriguez, Maria Alvarez, Cecilio Guzman Viveros, Kate Lopez, and Gilberto Serrato
2 Moreno (“Plaintiffs”) will apply for an order: (1) preliminarily approving the proposed
3 settlement of this class action with Defendant Feghali Foods (“Defendant”); (2) for
4 settlement purposes only, conditionally certifying the Class, which is comprised of “all
5 individuals who were employed by Defendant in California and classified as a non-exempt
6 employee at any time during the Class Period”; (3) provisionally appointing Plaintiffs as the
7 representatives of the Class; (4) provisionally appointing Norman B. Blumenthal, Kyle R.
8 Nordrehaug, Aparajit Bhowmik, Nicholas J. De Blouw, Jeffrey S. Herman, Sergio J. Puche,
9 and Trevor G. Moran of Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class
10 Counsel; (5) approving the form and method for providing class-wide notice; (6) directing
11 that notice of the proposed settlement be given to the class; (7) appointing Apex Class
12 Action as Administrator, and (8) scheduling a final approval hearing date, proposed for
13 October 1, 2024 which is at least 120 days from preliminary approval, to consider Plaintiffs’
14 motion for final approval of the 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. Plaintiffs’ 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 Declarations of the Plaintiffs, 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: May 1, 2024

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

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