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11 Attorneys for Plaintiffs

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

13 **IN AND FOR THE COUNTY OF SISKIYOU**

14 LAPREAL VINCENT, CHARLENE
15 KEARNEY, individuals, on behalf of
16 themselves and on behalf of all persons
17 similarly situated,

18 Plaintiffs,

19 vs.

20 WESTERN BUYERS LLC, a Limited
21 Liability Company; US LBM
22 HOLDINGS, LLC, a Limited Liability
23 Company; ACS-US LBM, LLC, a Limited
24 Liability Company; AMERICAN
25 CONSTRUCTION SOURCE-US LBM,
26 INC., a Corporation; AMERICAN
27 CONSTRUCTION SOURCE LLC, a
28 Limited Liability Company;
CALIFORNIA BUILDING SUPPLY- US
LBM, LLC, a Limited Liability Company;
DESERT LUMBER- US LBM, LLC, a
Limited Liability Company; PARKER's
BUILDING SUPPLY -US LBM, LLC, a
Limited Liability Company and DOES 1
through 50, inclusive,

Defendants.

CASE No. **23CV00757**

**NOTICE OF MOTION AND MOTION
FOR FINAL APPROVAL OF CLASS
SETTLEMENT AND AWARD OF
ATTORNEYS' FEES, COSTS AND
SERVICE AWARDS**

Hearing Date: September 26, 2024

Hearing Time: 9:30 a.m.

[Hearing scheduled by Order dated May 16,
2024]

Judge: Hon. JoAnn Bicego

Courtroom: 2

Action Filed: January 23, 2023

Trial Date: Not set

1 **TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 YOU ARE HEREBY NOTIFIED THAT at 9:30 a.m. on September 26, 2024, or as soon
3 thereafter as the matter can be heard Courtroom 2 at the above-entitled Court before the
4 Honorable JoAnn Bicego, Plaintiffs Lapreal Vincent and Charlene Kearney (“Plaintiffs”) will
5 move for an order granting (1) Final Approval of the Class Action Settlement, including
6 approval of the attorneys’ fees, costs and service awards, and (2) Entry of the Final Approval
7 Order and the Judgment.

8 This motion is brought in accordance with the Order dated May 16, 2024, and California
9 Rules of Court, rule 3.769. This Motion will be based on this notice, the accompanying points
10 and authorities, the Declaration of Norman Blumenthal, the Class Action and PAGA Settlement
11 Agreement (the “Agreement”), the Declaration of Nicole Bench (the Administrator), the
12 Declarations of Plaintiffs, and the complete files and records in this action.

13 Because Plaintiffs and Defendants Western Buyers, LLC; US LBM Holdings, LLC; ACS
14 - US LBM, LLC; American Construction Source - US LBM, Inc.; American Construction
15 Source, LLC; California Building Supply - US LBM, LLC; Desert Lumber - US LBM, LLC;
16 Parker's Building Supply - US LBM, LLC (“Defendants”) have agreed to the proposed class
17 settlement and have met and conferred regarding the motion, this motion is not opposed. There
18 have been no objections submitted by the Class.

19 Respectfully submitted,

20 Dated: August 30, 2024

21 **BLUMENTHAL NORDREHAUG BHOWMIK**
22 **DE BLOUW LLP**
23 By: /s/ Kyle Nordrehaug
24 Kyle R. Nordrehaug, Esq.
25 Attorneys for Plaintiff
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