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Attorneys for Plaintiffs and the putative class

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA
(UNLIMITED JURISDICTION)

APOLONIO PICENO PEREZ; individually and
on behalf of others similarly situated, ROSALIA
ARCE; individually and on behalf of others
similarly situated,

Plaintiffs,

vs.

UNIVERSAL BUILDING SERVICES AND
SUPPLY CO., a California corporation, GRACE
BRUSSEAU, an individual, LEONARD
BRUSSEAU, an individual, and DOES 1 to 20,
Inclusive,

Defendants.

CASE NO. RG17887036

CLASS ACTION

RESERVATION NO. 219822981001

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

Date: April 4, 2023
Time: 10:00 A.M.
Dept: 21
Judge: Honorable Evelio Grillo

Filed: December 22, 2017

TO: ALL INTERESTED PARTIES

PLEASE TAKE NOTICE that on April 4, 2023, at 10:00 a.m., in Department 21 of this Court, located at 1221 Oak Street, Oakland, CA 94612, Alfredo Garcia, Apolonio Piceno Perez (by and through his successor-in-interest, Maria Guadalupe Piceno), and Rosalia Arce (“Plaintiffs”) will and hereby do move this Court pursuant to Rule 3.769, California Rules of Court, to enter an order:

1. Granting preliminary approval of the Plaintiffs’ and Universal Building Services and Supply Co., Grace Brusseau, and Leonard Brusseau’s (collectively referred to as “Defendants”) class action and California Private Attorneys General Act of 2004 (“PAGA”) settlement agreement (the “Settlement”) which is attached as Exhibit 1 to the Declaration of Virginia Villegas.

2. Approving the allocation of the Gross Settlement Fund to the Settlement Class Members, the Class Representatives, Class Counsel, the LWDA and the Settlement Administrator.

3. Approving the form of the Notice Packet (attached as Exhibit A to the Settlement) and ordering that the Class be given notice of the Settlement and provided with these forms.

4. Conditionally certifying the proposed Class for settlement purposes only.

5. Appointing Plaintiffs as Class Representatives.

6. Appointing Virginia Villegas, The Villegas Law Firm, APC; and Ike M. Kaludi, California Trial Law Group, PC as Class Counsel.

7. Appointing Simpluris as the Settlement Administrator and authorizing Simpluris to send notice of the Settlement to the class members.

8. Setting a briefing schedule for a motion for final approval and award of attorneys’ fees, costs, and class representative awards and scheduling a final fairness hearing for a date 120 days after preliminary approval is granted, or such later date as is available for the Court.

9. Pursuant to California Rules of Court 3.769(d) and (e), this Motion is made on the grounds that the proposed Settlement satisfies all criteria for preliminary approval under California law and was reached following extensive discovery and exchange of information and the parties’ participation in two mediations and subsequent arm’s-length, good-faith negotiations. The Settlement is fair, reasonable, and adequate, and Plaintiffs and Class Counsel will fairly and adequately represent the class members, all of which warrants preliminary approval by the Court.

1 The Motion is based on this Notice, the accompanying Memorandum of Points and Authorities, the
2 proposed Order; the Declaration of Virginia Villegas In Support of Motion for Preliminary
3 Approval; the Declaration of Ike Kaludi In Support of Motion for Preliminary Approval; the
4 Declaration of Eric Springer regarding the qualifications of the proposed Settlement Administrator
5 and the claim administration process, the Court's record of this action; all matters of which the Court
6 may take notice; and such other and further oral and/or documentary evidence as may be properly
7 presented at the hearing on this matter.

8 DATED: March 9, 2022

THE VILLEGAS LAW FIRM, APC

CALIFORNIA TRIAL LAW GROUP, PC

11 By: Virginia Villegas
12 Virginia Villegas
13 Attorneys for Plaintiffs
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