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(Additional Counsel Listed on Next Page)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

OSVALDO PALOMARES JR., individually,
and on behalf of other members of the general
public similarly situated;

Plaintiff,

v.

INVIVOSCRIBE INC., a California
corporation; and DOES 1 through 100, inclusive,

Defendants.

Case No. 37-2024-00019330-CU-OE-CTL

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

Date: January 9, 2026

Time: 10:15 a.m.

Judge: Hon. Wendy M. Behan

Dept.: C-66

LAWYERS *for* JUSTICE, PC

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Attorneys for Plaintiff OSVALDO PALOMARES JR.

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on January 9, 2026, at 10:15 a.m., or as soon thereafter as counsel
3 may be heard, in Department C-66 of the San Diego County Superior Court, the Honorable Judge
4 Wendy M. Behan presiding, Plaintiff Osvaldo Palomares Jr. ("Plaintiff") will, and hereby does, move
5 this Court to:

6 1. Preliminarily approve the settlement described in the Stipulation of Settlement of Class
7 and PAGA Action Claims and Release of Claims ("Agreement") attached as Exhibit A to the
8 Declaration of Shani O. Zakay, Esq., filed concurrently herewith;

9 2. Conditionally certify the Settlement Class for purposes of settlement only;

10 3. Approve distribution of the proposed Notice of Pendency of Class and Representative
11 Action Settlement and Final Hearing Date;

12 4. Appoint Plaintiff OSVALDO PALOMARES JR. as the Class Representative;

13 5. Appoint Jean-Claude Lapuyade, Esq. of JCL Law Firm, APC, Shani O. Zakay, Esq. of
14 Zakay Law Group, APLC, and Arby Aiwazian, Esq., Joanna Ghosh, Esq., Brian J. St. John, Esq., and
15 Erica Stepanian, Esq. of Lawyers for Justice, PC collectively as Class Counsel.

16 6. Set a hearing date for final approval of the settlement.

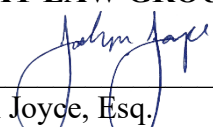
17 This Motion is based upon: (1) this Notice of Motion, (2) the Memorandum of Points and
18 Authorities in Support of Motion for Preliminary Approval of Class Action Settlement, (3) the
19 Declaration of Jean-Claude Lapuyade, Esq., (4) the Declaration of Shani O. Zakay, Esq., (5) the
20 Declaration of Brian St. John, Esq., (6) the Declaration of the Settlement Administrator, (7) the
21 Agreement, (8) the [Proposed] Order Granting Preliminary Approval of Class Action Settlement and
22 exhibits attached thereto, (9) the records, pleadings, and papers filed in this action, and (10) upon such
23 other documentary and oral evidence or argument as may be presented to the Court at or prior to the
24 hearing of this Motion.

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1 PLEASE TAKE FURTHER NOTICE, that as this Motion seeks, *inter alia*, conditional
2 certification of Class Action and is ***unopposed***, the Parties ***respectfully request relief from the page***
3 ***limit requirement*** set by California Rules of Court, Rule 3.1113(d).
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5 Dated: December 12, 2025

ZAKAY LAW GROUP, APLC

6 By: 
7 Jaclyn Joyce, Esq.
8 Attorneys for PLAINTIFF
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