

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

Norman B. Blumenthal (State Bar #068687)

Kyle R. Nordrehaug (State Bar #205975)

Aparajit Bhowmik (State Bar #248066)

2255 Calle Clara

La Jolla, CA 92037

Telephone: (858)551-1223

Facsimile: (858) 551-1232

Email: Kyle@bamlawca.com

Website: www.bamlawca.com

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

RACHEL MACDONALD, an individual,
on behalf of herself and on behalf of all
persons similarly situated,

Plaintiff,

vs.

BEST FRIENDS ANIMAL SOCIETY, a
Utah Corporation; and DOES 1 through
50, inclusive,

Defendants.

Case No. 22STCV37493

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

Hearing Date: September 17, 2024
Hearing Time: 10:00 a.m.

Judge: Hon. Kenneth R. Freeman
Dept: SS-14

Date Filed: November 30, 2022
Trial Date: Not set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT on September 17, 2024 at 10:00 a.m., in
Department 14 in the Spring Street Courthouse of the above entitled Court before the
Honorable Kenneth R. Freeman, Plaintiff Rachel Macdonald ("Plaintiff") will move for an

1 order: (1) preliminarily approving the proposed settlement of this class action with
2 Defendant Best Friends Animal Society (“Defendant”); (2) for settlement purposes only,
3 conditionally certifying the Class, which is comprised of “all individuals who were
4 employed by Defendant in California and classified as a non-exempt employee at any time
5 during the Class Period”, which is November 30, 2018 to December 11, 2023; (3)
6 provisionally appointing Plaintiff as the representatives of the Class; (4) provisionally
7 appointing Norman B. Blumenthal, Kyle R. Nordrehaug, and Aparajit Bhowmik of
8 Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class Counsel for the Class; (5)
9 approving the form and method for providing notice to the Class of the proposed settlement;
10 (6) directing that notice of the proposed settlement be given to the Class; (7) appointing
11 Apex Class Action LLC as the Administrator; and (8) scheduling a final approval hearing
12 date in approximately four months to consider the Plaintiff’s motion for final approval of the
13 settlement and for approval of attorneys’ fees, expenses and the service award.

14 This motion for preliminary approval of the class settlement is brought pursuant to
15 California Rules of Court, rule 3.769. Plaintiff’s motion will be based on this notice of
16 motion and motion, the accompanying memorandum of points and authorities, the
17 Declaration of Kyle Nordrehaug, the Declaration of Plaintiff Rachel Macdonald, the Class
18 Action and PAGA Settlement Agreement (the “Agreement”) between the parties, and the
19 complete files and records in this action. Because all Parties have agreed to the proposed
20 class settlement, this motion is unopposed.

21 Respectfully submitted,

22 Dated: May 16, 2024

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

23
24 By: /s/ Kyle Nordrehaug
25 Kyle R. Nordrehaug, Esq.
26 Attorney for Plaintiff
27
28