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**Attorneys for Plaintiff Ramon Lopez, on behalf of
himself and all others similarly situated**

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

RAMON LOPEZ, on behalf of himself and all
others similarly situated,

Plaintiff,

vs.

NEXGEN AIR CONDITIONING AND
HEATING, LLC, a California Limited
Liability Corporation; and DOES 1 through
100, inclusive,

Defendants.

CASE NO.: 30-2022-01295800-CU-OE-CXC

*Assigned for all purposes to Hon. Lon F.
Hurwitz, Dept. CX103*

**PLAINTIFF'S NOTICE OF MOTION
AND MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: March 22, 2024
Time: 1:30 p.m.
Location: Dept. CX103

Action Filed: December 8, 2022

1 **TO THE HONORABLE COURT AND TO ALL PARTIES AND THEIR COUNSEL OF**
2 **RECORD:**

3 **PLEASE TAKE NOTICE** that on March 22, 2024, at 1:30 p.m., or as soon thereafter as the
4 matter may be heard before the Honorable Lon F. Hurwitz in Department CX103 of the Orange
5 County Superior Court – Civil Complex Center, located at 751 W. Santa Ana Blvd, Santa Ana,
6 California 92701, Plaintiff Ramon Lopez (hereinafter “Plaintiff”) will, and hereby does, move for an
7 order:

8 • Granting preliminary approval of the proposed class action settlement described
9 herein and as set forth in the parties’ Joint Stipulation of Class Action and PAGA Settlement, attached
10 as “Exhibit B” to the Declaration of Gregory P. Wong, including, but not limited to, the means of
11 allocation and distribution of funds, attorneys’ fees and litigation costs and expenses to Class Counsel,
12 the enhancement award, and settlement administration fees;

13 • Certifying the proposed Class for settlement purposes;

14 • Appointing Plaintiff Ramon Lopez as the Class Representative;

15 • Approving the proposed Notice of Settlement of Class Action Lawsuit (“Notice”),
16 attached as “Exhibit C” to the to the Declaration of Gregory P. Wong;

17 • Directing the mailing of the Notice to the Class Members;

18 • Approving the proposed deadlines for the notice and settlement administration
19 process;

20 • Approving CPT Group, Inc. as the Settlement Administrator; and

21 • Scheduling a hearing to consider whether to grant final approval of the Settlement, at
22 which time the Court will also consider whether to grant final approval of the requests and allocations
23 for an award of attorneys’ fees and reimbursement of litigation costs and expenses to Class Counsel,
24 the enhancement award to the Class Representative, and the settlement administration fees.

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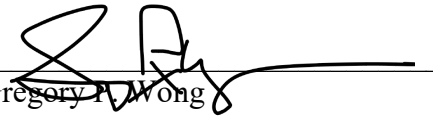
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1 This motion is based upon the following memorandum of points and authorities, the
2 Settlement Agreement, the Declaration of Proposed Class Counsel in support thereof, as well as the
3 pleadings and other records on file with the Court in this matter, and such evidence and oral argument
4 as may be presented at the hearing on this motion.

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6 DATED: February 22, 2024

Respectfully Submitted,
BARKHORDARIAN LAW FIRM, PLC

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Gregory P. Wong
John F. Litwin
Attorneys for Plaintiff Ramon Lopez on behalf of
himself and all others similarly situated