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10 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**

11 **COUNTY OF SAN BERNARDINO**

12 YESENIA GUTIERREZ and KATHY CHAN,
13 individually and on behalf of all others similarly
situated,

14 Plaintiffs,

15 vs.

16 ENVIRONMENTAL SYSTEMS RESEARCH
17 INSTITUTE, INC., a California Corporation,

18 Defendant.
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Case No. CIVSB2300014

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION FOR PRELIMINARY APPROVAL
OF CLASS AND PAGA SETTLEMENT**

Date: June 9, 2025

Time: 8:30 a.m.

Dept: S26

Judge: Hon. Christian Towns

1 NOTICE IS HEREBY GIVEN that, on June 9, 2025, at 8:30 a.m., or as soon thereafter as the
2 matter may be heard, Plaintiffs Yesenia Gutierrez and Kathy Chan will and hereby do move this Court
3 pursuant to Cal. Rules of Court, Rule 3.769, to enter the proposed Order filed herewith: (1) preliminarily
4 approving the proposed class action settlement and finding that it is fair, adequate, and reasonable, and
5 in the best interests of the absent class members; (2) preliminarily certifying the Classes, for
6 settlement purposes only; (3) preliminarily appointing HammondLaw, P.C. as Class Counsel; (4)
7 approving appointment of Settlement Services, Inc. as the settlement administrator; (5) approving and
8 directing distribution of the proposed Class Notice to the settlement Classes and the procedures and
9 schedule for submission of objections and requests for exclusion; and (6) setting a briefing schedule
10 and date and time for a Final Approval Hearing.

11 This Motion is based upon this Notice of Motion; the Memorandum of Points and Authorities in
12 Support hereof, Declaration of Plaintiffs' counsel Julian Hammond, Declaration of Plaintiff Yesenia
13 Gutierrez, Declaration of Plaintiff Kathy Chan, Declaration of Defendant's counsel Alexandra P. Barlow,
14 Declaration of Chris Nowlin, Declaration of Elizabeth Contreras-Martinez In Support of Cy Pres
15 Distribution, the Proposed Order; the pleadings and prior filings in this case; and such other documentary
16 and oral evidence or argument as may be presented to the Court at the hearing on this Motion.

17 Dated: May 15, 2025

Respectfully submitted,

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20 Julian Hammond
Polina Brandler

21 *Attorneys for Plaintiffs and the Putative Classes*