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Attorneys for Plaintiff ILICIA HIGGINBOTHAM
on behalf of herself and all other aggrieved employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

ILICIA HIGGINBOTHAM, an
individual, on behalf of herself and
other aggrieved employees,

Plaintiff,

vs.

NEWPORT BEACH VINEYARDS &
WINERY, LLC, a California limited
liability company; and DOES 1 through
100, inclusive,

Defendants.

) CASE NO. 30-2023-01320469-CU-OE-CXC
) Hon. Lon Hurwitz
) Dept. CX103

) **AMENDED NOTICE OF MOTION FOR
) COURT APPROVAL OF PAGA
) SETTLEMENT**

) March 01, 2024

) Date: ~~February 23, 2024~~

) Time: 1:30 p.m.

) Dept. CX103

) Action filed: April 20, 2023

**AMENDED NOTICE OF MOTION FOR COURT APPROVAL OF PAGA
SETTLEMENT**

March 01, 2024,

PLEASE TAKE NOTICE that on ~~February 23, 2024~~, at 1:30 p.m. or as soon thereafter as the matter may be heard before the Honorable Lon Hurwitz of the Superior Court of the State of California, County of Orange, located at 751 Santa Ana Blvd., Santa Ana, California 92701, Plaintiff Ilicia Higginbotham ("Plaintiff") will and hereby does move for entry of an order and judgment as follows:

1. Granting approval, pursuant to California *Labor Code* §2699, subd. (1)(2) of the proposed settlement between Plaintiff and Defendant Newport beach Vineyards & Winery, LLC ("Defendant" or "Newport") of the claims brought pursuant to the Private Attorneys General Act of 2004 ("PAGA") as set forth in the PAGA Settlement Agreement ("Settlement Agreement"), attached as **Exhibit 1** to the Declaration of Janelle Carney, filed on November 20, 2023;

2. Approving the Net Distribution Amount payable to the State of California and Aggrieved Employees as authorized by California *Labor Code* §2699(i);

This motion is based on this Amended Notice of Motion and the Memorandum of Points and Authorities filed on November 20, 2023, the Settlement Agreement, the Declaration of Janelle Carney filed on November 20, 2023, the pleadings and other records on file with the Court in this matter, and such evidence and oral argument as may be presented at the hearing on this Motion.

Dated: December 12, 2023

JANELLE CARNEY – ATTORNEY AT LAW, APC

By: 
Janelle Carney, Attorney for Plaintiff

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

I am employed in the County of San Bernardino, State of California. I am over the age of eighteen (18) and not a party to the within action; my business address is 14758 Pipeline Avenue, Suite E, Second Floor, Chino Hills, CA 91709-6025.

On December 12, 2023, I served the foregoing document described as:

**AMENDED NOTICE OF MOTION FOR COURT APPROVAL OF PAGA
SETTLEMENT**

on INTERESTED PARTIES in this action by placing a copy thereof enclosed in a sealed envelope addressed as stated below:

Brian E. Cole, II
Nancy ("Niki") Lubrano
CDF LABOR LAW, LLP
18300 Von Karman Ave., Ste. 800
Irvine, CA 92612
bcole@cdfsflaborlaw.com
nlubrano@cdfsflaborlaw.com
lperez@cdfsflaborlaw.com
manderson@cdfsflaborlaw.com

XX BY E-MAIL : I served the above-mentioned document by serving electronically to each of the above recipients at their respective e-mail addresses and simultaneously sending for electronic filing. My e-address is: Jerin@JanelleCarneyLaw.com.

Executed on December 12, 2023 at Chino Hills, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



Jerin Wilkinson