

**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 Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF GLENN

FABIAN MARTINEZ, PAUL ADAMS,
MICHAEL RUSH, and RICHARD L.
YOUNG, individually on behalf of
themselves and on behalf of all persons
similarly situated,

Plaintiffs,

vs.

JOHNS MANVILLE, a Corporation; and
DOES 1 through 50, inclusive,

Defendants.

CASE NO.: **23CV03097**

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

Hearing Date: November 20, 2024

Hearing Time: 2:30 p.m.

Judge: Hon. Alicia Ekland
Dept.: 2

Date Action Filed: March 15, 2023

Trial Date: Not set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT at 2:30 p.m. on November 20, 2024, in
Department 2 at the above entitled Court before the Honorable Alicia Ekland, Plaintiffs

1 Fabian Martinez, Paul Adams, Michael Rush, and Richard L. Young (“Plaintiffs”) will apply
2 for an order: (1) preliminarily approving the proposed settlement of this class action with
3 Defendant Johns Manville (“Defendant”); (2) for settlement purposes only, conditionally
4 certifying the Class, which is comprised of “all individuals who were employed by
5 Defendant in California and classified as non-exempt employees at any time during the
6 Class Period”, which is August 20, 2020 through November 20, 2024; (3) provisionally
7 appointing Plaintiffs as the representatives of the Class; (4) provisionally appointing
8 Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class Counsel; (5) approving the form
9 and method for providing class-wide notice; (6) directing that notice of the proposed
10 settlement be given to the Class; (7) appointing Apex Class Action as Administrator, and
11 (8) scheduling a final approval hearing date, proposed for April 16, 2025, to consider
12 Plaintiffs’ motion for final approval of the settlement and for approval of attorneys’ fees,
13 expenses and the service awards.

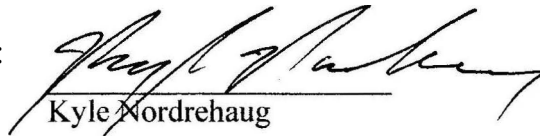
14 This motion for preliminary approval of the class settlement is brought pursuant to
15 California Rules of Court, rule 3.769. Plaintiff’s motion will be based on this notice of
16 motion and motion, the accompanying memorandum of points and authorities, the
17 Declaration of Kyle Nordrehaug, the Declarations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

20 Respectfully submitted,

21 Dated: October 23, 2024

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

22 By:



Kyle Nordrehaug
Attorney for Plaintiffs