

FILED
SUPERIOR COURT

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Attorney for Hector Estrada individually and on behalf of all others similarly situated.

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN JOAQUIN

HECTOR ESTRADA, individually and on
behalf of others similarly situated
Plaintiff,

vs.

GLASSFAB TEMPERING SERVICES INC.;
and DOES 1 through 100, inclusive,
Defendants.

Case No: STK-CV-UOE-2021-8051

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

Hearing Date: 10/13/23

Hearing Time: 9 AM

Judge: 10A

This case has been assigned to Judge
GEORGE J. ABDALLAH in Department
10A for all purposes including trial.

1 **TO DEFENDANT, ITS ATTORNEYS OF RECORD, AND THE CALIFORNIA LABOR &**
2 **WORKFORCE DEVELOPMENT AGENCY:**

3 PLEASE TAKE NOTICE at the time and date listed in the caption in Department 10a of the
4 above-referenced court, Plaintiff Hector Estrada will move the court for an order granting Plaintiff's
5 Preliminary Motion for Preliminary Approval of Class Action Settlement including
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- 7 • Granting Preliminary Approval of the proposed class action settlement described herein and
8 as set forth in the parties' Class Action Settlement Agreement ("Settlement Agreement" or
9 "Agreement"), attached as Exhibit 1 to the Declaration of Ashwin Ladva, including, and not
10 limited to, the means of allocation and distribution of funds, and the allocations for
11 penalties under the California Labor Code Private Attorneys General Act of 2004
12 ("PAGA"), Attorneys' Fee Award, Cost Award, Class Representative Enhancement
13 Payment, and Administrative Costs;
- 14 • Conditionally certifying the proposed Class for settlement purposes only;
- 15 • Appointing Plaintiff Hector Estrada as the Class Representative;
- 16 • Appointing Scott Nakama and Ashwin Ladva of the Ladva Law Firm as well as Daniel
17 Martinez de la Vega of the Law Office of Daniel Vega as Class Counsel;
- 18 • Approving the proposed Notice of Class Action Settlement ("Class Notice") attached as
19 Appendix A to the Settlement Agreement;
- 20 • Approving Simpluris, Inc. ("Simpluris"), as the Settlement Administrator; and
- 21 • Scheduling a hearing to consider whether to grant Final Approval of the Settlement, at which
22 time the Court will also consider whether to grant Final Approval of the Requests for
23 Attorneys' Fee Award, Cost Award, Class Representative Enhancement Payments, and
24 approval of the allocation for PAGA penalties and the Administration Costs.

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26 This motion is based on this Notice of Motion and Motion, the Memorandum of Points and
27 Authorities, the Declaration of Scott Nakama, the Declaration of Daniel Vega, the Declaration of
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1 Ashwin Ladva, the Declaration of Plaintiff Hector in Support of Motion and all other evidence or
2 argument the Court will consider at the hearing. The Proposed Order is attached as Exhibit 2 of the
3 Declaration of Ashwin Ladva.

4 To attend the remote hearing: Call into [\(209\) 992-5590](tel:2099925590), then follow the prompts and use
5 the Bridge # and Pin # for the Department where your case is to be heard: Dept. 10A (Judge
6 Abdallah): Bridge #: 6938; Pin # 3784. At the discretion of the Judicial Officer, a Zoom video
7 platform may be provided for the parties to appear. The Court will provide the video access meeting
8 link, or require a party to provide notice of the video access meeting link. Any recording,
9 reproduction, or re-broadcasting of a court proceeding held remotely, including screenshots or other
10 visual or audio copying of a hearing, is prohibited.
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13 **LADVA LAW FIRM**

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15 Dated: September 12, 2023

16 By: 
17 SCOTT S. NAKAMA
18 Attorney for Plaintiff
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