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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **IN AND FOR THE COUNTY OF ALAMEDA**

15 PABLO ACOSTA, COLLEEN DUARTE,
16 CALVIN SMITH, SLEEM SHEIKH, and
17 CHIA-CHEN CHANG, individuals, on
18 behalf of themselves, and on behalf of all
19 persons similarly situated,

20 Plaintiffs,

21 vs.

22 AXLEHIRE, INC., a Corporation; and
23 DOES 1 through 50, inclusive,

24 Defendants.

CASE NO.: **23CV057116**

[consolidated with Case No. 23CV055896]

**NOTICE OF MOTION AND
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF
CLASS AND REPRESENTATIVE
ACTION SETTLEMENT**

Hearing Date: August 5, 2025

Hearing Time: 2:30 p.m.

Reservation ID: 780921156062

Judge: Hon. Somnath Raj Chatterjee

Dept.: 21

Action Filed: December 1, 2023

Trial Date: Not set

1 **TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 YOU ARE HEREBY NOTIFIED THAT at 2:30 p.m. on August 5, 2025 in
3 Department 21 at the above entitled Court before the Honorable Somnath Raj Chatterjee,
4 Plaintiffs Pablo Acosta, Colleen Duarte, Calvin Smith, Sleem Sheikh, and Chia-Chen Chang
5 (“Plaintiffs”) will apply for an order:

6 (1) granting preliminary approval the proposed settlement of this class and PAGA
7 action with Defendant Jitsu, Inc. (formerly known as Axlehire, Inc.) (“Defendant”);

8 (2) for settlement purposes only, conditionally certifying the Class, which is
9 comprised of “all individuals who are or previously contracted with Defendant as couriers in
10 the State of California at any time during the Class Period”, which is December 1, 2019
11 through March 17, 2025;

12 (3) provisionally appointing Plaintiffs as the Class Representatives for settlement
13 purposes only;

14 (4) provisionally appointing Norman B. Blumenthal, Kyle R. Nordrehaug, and
15 Aparajit Bhowmik of Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class Counsel;

16 (5) approving the form and method for providing class-wide notice;

17 (6) directing that notice of the proposed settlement be given to the class;

18 (7) provisionally appointing and approving Apex Class Action LLC as the
19 Administrator; and,

20 (8) scheduling a final approval hearing date, proposed for December 16, 2025 to
21 consider Plaintiffs’ motion for final approval of the settlement and for approval of attorneys’
22 fees and expenses.

23 This unopposed motion for preliminary approval of the class settlement is brought
24 pursuant to California Rules of Court, rule 3.769. Plaintiffs’ motion is based on this notice
25 of motion and motion, the accompanying memorandum of points and authorities, the
26 Declaration of Kyle Nordrehaug, the Declarations of the Plaintiffs, the Agreement between
27 the Parties, the complete files and records in this action, and any other evidence or oral
28 argument which may be considered by the Court at the time of the hearing. Because all

1 Parties have agreed to the proposed class settlement, this motion is not opposed by
2 Defendant.

3 Respectfully submitted,

4 Dated: July 10, 2025

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

By: /s/ Kyle Nordrehaug
Kyle R. Nordrehaug, Esq.
Attorney for Plaintiffs

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