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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN FRANCISCO**

JONATHAN MOORE, an individual, on
behalf of himself and on behalf of all
persons similarly situated,

Plaintiffs,

vs.

BYER CALIFORNIA, a California
Corporation; and DOES 1 through 50,
inclusive,

Defendants.

CASE NO.: **CGC-23-605878**

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

Hearing Date: May 15, 2025
Hearing Time: 9:30 a.m.

Judge: Hon. Richard B. Ulmer
Courtroom: 302

Action Filed: April 17, 2023
Trial Date: Not set

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

2 YOU ARE HEREBY NOTIFIED THAT at 9:30 a.m. on May 15, 2025, in
3 Department 302 at the above entitled Court before the Honorable Richard B. Ulmer,
4 Plaintiff Jonathan Moore (“Plaintiff”) will apply for an order: (1) preliminarily approving
5 the proposed settlement of this class action with Defendant Byer California (“Defendant”);
6 (2) for settlement purposes only, conditionally certifying the Class, which is comprised of
7 “all individuals who were employed by Defendant in California and classified as
8 non-exempt employees at any time during the Class Period”, which is April 17, 2019 to
9 October 14, 2024; (3) provisionally appointing Plaintiff as the representatives of the Class;
10 (4) provisionally appointing Norman B. Blumenthal, Kyle R. Nordrehaug, and Aparajit
11 Bhowmik of Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class Counsel; (5)
12 approving the form and method for providing class-wide notice; (6) directing that notice of
13 the proposed settlement be given to the class; (7) appointing ILYM Group, Inc. as
14 Administrator, and (8) scheduling a final approval hearing date, proposed for September 30,
15 2025 to consider Plaintiff’s motion for final approval of the settlement and for approval of
16 attorneys’ fees and expenses.

17 This motion for preliminary approval of the class settlement is brought pursuant to
18 California Rules of Court, rule 3.769. Plaintiffs’ motion will be based on this notice of
19 motion and motion, the accompanying memorandum of points and authorities, the
20 Declaration of Kyle Nordrehaug, the Declarations of the Plaintiffs, the Class Action and
21 PAGA Settlement Agreement (“Agreement”) between the Parties, and the complete files and
22 records in this action. All Parties have agreed to the proposed class settlement as set forth in
23 the Agreement.

24 Respectfully submitted,

25 Dated: April 21, 2025

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

26 By: /s/ Kyle Nordrehaug
27 Kyle R. Nordrehaug, Esq.
28 Attorney for Plaintiff