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SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

ROGEBERTO BENITEZ, an individual,
on behalf of himself and on behalf of all
persons similarly situated,

Plaintiffs,

vs.

HYATT CORPORATION, a Corporation;
and DOES 1 through 50, inclusive,

Defendants.

CASE NO.: **37-2023-00028524-CU-OE-CTL**

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

Hearing Date: September 6, 2024
Hearing Time: 9:30 a.m.

Judge: Hon. Marcella O. McLaughlin
Dept.: 72

Date Action Filed: July 7, 2023
Trial Date: Not set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT at 9:30 a.m. on September 6, 2024 in
Department 72 at the above entitled Court before the Honorable Marcella O. McLaughlin,

1 Plaintiff Rogeberto Benitez (“Plaintiff”) will apply for an order: (1) preliminarily approving
2 the proposed settlement of this class action with Defendant Hyatt Corporation
3 (“Defendant”); (2) for settlement purposes only, conditionally certifying the Class, which is
4 comprised of “all individuals who were employed by Defendant in California at the La Jolla,
5 California Hyatt location and classified as a non-exempt employee at any time during the
6 Class Period”, which is July 7, 2019 through July 5, 2024; (3) provisionally appointing
7 Plaintiff as the representative of the Class; (4) provisionally appointing Norman B.
8 Blumenthal, Kyle R. Nordrehaug, Aparajit Bhowmik, Nicholas J. De Blouw, Jeffrey S.
9 Herman, Sergio J. Puche, and Trevor G. Moran of Blumenthal Nordrehaug Bhowmik De
10 Blouw LLP as Class Counsel; (5) approving the form and method for providing class-wide
11 notice; (6) directing that notice of the proposed settlement be given to the Class; (7)
12 appointing ILYM Group as Administrator, and (8) scheduling a final approval hearing date,
13 proposed for January 31, 2025, to consider Plaintiff’s motion for final approval of the
14 settlement and for approval of attorneys’ fees, expenses and the service award.

15 This unopposed motion for preliminary approval of the class settlement is brought
16 pursuant to California Rules of Court, rule 3.769. Plaintiff’s motion will be based on this
17 notice of motion and motion, the accompanying memorandum of points and authorities, the
18 Declaration of Kyle Nordrehaug, the Declaration of the Plaintiff, the Class Action and
19 PAGA Settlement Agreement (“Agreement”) between the Parties, and the complete files and
20 records in this action. Because all Parties have agreed to the proposed class settlement, this
21 motion is not opposed by Defendant.

22 Respectfully submitted,

23 Dated: August 12, 2024

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

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