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9 **Attorneys for Plaintiff Lucia Lopez-Martinez**

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF STANISLAUS**

12 **LUCIA LOPEZ-MARTINEZ, an**
13 **individual,**

14 **Plaintiff,**

15 **vs.**

16 **PCV MODESTO 1, LLC d/b/a**
17 **PLANET FITNESS, a limited liability**
18 **corporation, and DOES 1-100,**
19 **inclusive,**

20 **Defendants.**

21 **CASE NO: CV-23-002478**

22 **NOTICE OF MOTION AND MOTION TO**
23 **APPROVE PAGA SETTLEMENT AND**
24 **DISMISS ACTION WITH PREJUDICE**

25 **Date:**
26 **Time:**
27 **Dept.: 24**

28 **TO THE HONORABLE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that on _____ at _____ am in Department 24 of the above-captioned Court, located at 801 10th Street, Fourth Floor, Modesto, California 95354, or as soon thereafter as this matter may be heard, Plaintiff Lucia Lopez-Martinez (“Plaintiff”) will and hereby does move pursuant to Labor Code section 2699(l)(2) for approval of the settlement reached between Plaintiff and Defendant PCV Modesto 1, LLC d/b/a Planet Fitness (“Defendant”), of Plaintiff’s claims under the Labor Code Private Attorneys General Act of 2004 (“PAGA”), set forth as the Ninth Cause of Action to Plaintiff’s First Amended Complaint filed with this Court. Plaintiff further moves for an order dismissing the Action with prejudice. Defendants do not oppose the instant Motion.

This motion shall be based on this Notice of Motion, Plaintiff’s Memorandum of Points and

1 Authorities in Support, the Declaration of Vladimir J. Kozina, the Proposed Order Approving
2 PAGA Settlement and Dismissing Action with Prejudice, all filed concurrently herewith, and upon
3 such other and further evidence and argument as may be presented at the hearing on this motion.
4

5 DATED: May 31, 2024

MAYALL HURLEY, P.C.

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7 By: 

8 _____
9 Vladimir J. Kozina
10 Attorneys for Plaintiff
11 LUCIA LOPEZ-MARTINEZ
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