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behalf of himself and others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN JOAQUIN

ALEXIS GARRIDO, an individual, on
behalf of himself and others similarly
situated,

Plaintiff,

vs.

LOWE'S HOME CENTERS, LLC., a North
Carolina limited liability company; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: STK-CV-VOE-2023-7780

Assigned for All Purposes To:

Hon. Hon. Jayne Lee

Department: 10C

**NOTICE OF MOTION AND PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

*[Filed concurrently with Memorandum of Points
and Authorities; Declaration Enoch J. Kim
Declaration of Alex Garrido; Declaration of
Bernice Carrillo; Declaration of David R.
Markham; Declaration of Isam C. Khoury;
Declaration of Walter L. Haines; and
[Proposed] Order]*

Hearing Date: January 6, 2026; January 7, 2026,
January 8, 2026; January 9, 2026; or January 15,
2026

Time: 9:00 a.m.

Original Complaint Filed: July 25, 2023

Trial Date: None Set

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behalf of herself and others similarly situated
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1 **TO THE COURT AND DEFENDANT AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that on _____ at _____ a.m. in Department 10C
3 of the Courthouse of the San Joaquin Superior Court located at Stockton Courthouse, 180 E. Weber
4 Ave., Stockton, California 95202, Plaintiff Alexis Garrido and Plaintiff Bernice Carrillo
5 (“Plaintiffs”), on behalf of themselves and all other similarly situated employees of Defendant
6 Lowe’s Home Centers, LLC (“Defendant,” and Plaintiffs and Defendant collectively referred to as
7 the “Parties”), will and hereby do move this Court pursuant to California Code of Civil Procedure
8 § 382 and California Rule of Court 3.769 for an order as proposed:

9 1. Preliminarily approving the proposed class-wide settlement of this action as set forth
10 in the Parties’ Class Action and Representative Action Settlement Agreement and Release
11 (“Settlement Agreement”), which is attached as Exhibit 1 to the Declaration of Enoch J. Kim, filed
12 herewith;

13 2. Conditionally granting certification of the Settlement Class solely for the purposes
14 of settlement;

15 3. Approving the appointment of Apex Class Action LLC as Settlement Administrator;

16 4. Approving the form and method for providing notice to the Class Members and
17 approving the form and content of the Parties’ proposed Notice of Class and PAGA Action
18 Settlement (“Class Notice”) for sending to the Class Members (provided at Exhibit A to the
19 Settlement Agreement);

20 5. Authorizing the Settlement Administrator to send the Notice of Proposed Class
21 Action Settlement and Hearing Date for Court Approval (“Class Notice”) to the Class Members;

22 6. Appointing Plaintiffs Alexis Garrido and Bernice Carrillo as Class Representatives
23 for settlement purposes only;

24 7. Appointing D.Law, Inc., David Yeremian & Associates, Inc., Cohelan Khoury &
25 Singer, The Markham Law Firm, and United Employees Law Group to serve as Class Counsel for
26 settlement purposes only; and

27 8. Scheduling a Final Approval hearing date to consider the Parties’ request for final
28 approval of the proposed Settlement and Plaintiffs’ application for attorneys’ fees and costs.

1 9. Pursuant to Labor Code § 2699.3(b)(4), the Parties also seek approval of the proposed
2 settlement's allocation of funds to claims made under Labor Code §§ 2698, *et seq.*, the Private
3 Attorneys General Act of 2004 ("PAGA").

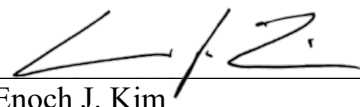
4 This Motion is made on the grounds that after good-faith, arm's length negotiations, the
5 Parties have agreed upon a Settlement which is fair, reasonable, and adequate and in the best
6 interests of the Class. Defendant does not oppose the Motion. This Notice of Motion and Motion is
7 also based on the fact that this Settlement was the product of informed, non-collusive negotiations
8 by the Parties who were represented by experienced and able counsel. *See Dunk v. Ford Motor Co.*
9 (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation (Second) (1985) § 30.44. The
10 proposed Settlement meets the legal standard for preliminary approval; the proposed form of notice
11 explains the Settlement terms in a clear and straightforward manner; the proposed procedures for
12 notice provide the best practical notice to the Class; and Class Members will have an opportunity to
13 participate in and/or object to the Settlement and/or opt-out of the Settlement.

14 This Motion is based upon this Notice of Motion, the accompanying Memorandum of Points
15 and Authorities, the Declarations of Enoch J. Kim, Alexis Garrido, Bernice Carrillo, David R.
16 Markham, Isam C. Khoury, and Walter L. Haines submitted with this Motion, the [Proposed] Order
17 granting the Motion, the Parties' stipulation, the Court's record of this action, all matters of which
18 the Court may take notice, and upon such oral or documentary evidence as the Court may receive at
19 or before the hearing on this unopposed Motion.

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21 DATED: December 8, 2025

D.LAW, INC.

22
23 By



Enoch J. Kim
Eric J. Naessig
Attorneys for Plaintiff Alexis Garrido and
Settlement Class