

1 **RICHARD LAW, P.C.**

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5 Attorneys for Plaintiff

6 GABRIEL TORRES

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN DIEGO – CENTRAL**

10 GABRIEL TORRES, on Behalf of Other
11 Current and Former Employees,

12 Plaintiff,

13 v.

14 PACIFIC DEBT, INC., and
15 DOES 1-10, Inclusive,

16 Defendants.

Case No. 37-2024-00003429-CU-OE-CTL

*[Assigned for all purposes to Hon. Marcella O
McLaughlin, Dept. C-72]*

ACTION FILED: JANUARY 23, 2024

ANSWER FILED: MARCH 22, 2024

TRIAL DATE: NOT SET

PAGA ACTION

**NOTICE OF PLAINTIFF'S UNOPPOSED
MOTION AND PLAINTIFF'S MOTION FOR
APPROVAL OF PAGA SETTLEMENT**

Hearing:

Date: October 17, 2024

Time: 9:30 a.m.

Location: Dept.: C-72

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1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEY OF RECORD:

2 PLEASE TAKE NOTICE THAT on **October 17, 2024 at 9:30 a.m.** or as soon thereafter as the
3 matter can be heard before the Honorable Marcella O. McLaughlin, in Department 72 of the San Diego
4 County Superior Court, located at 330 West Broadway, San Diego, CA, 92101, plaintiff Gabriel Torres
5 (“Plaintiff”) as a proxy for the State of California, will, and hereby does, move the Court to grant approval
6 of, and issue an order approving, the PAGA Settlement Agreement entered into by Plaintiff and defendant
7 Pacific Debt, Inc. (“Defendant”), a copy of which is attached to the Declaration of Diane E. Richard as
8 **Exhibit 1** which is contemporaneously filed and incorporated herein by reference. **This Motion is**
9 **unopposed by Defendant.**

10 This Motion is made pursuant to California Labor Code §2699(s)(2) (formerly §2699(l)(2)) which
11 states “The superior court shall review and approve any settlement of any civil action filed pursuant to
12 this part. The proposed settlement shall be submitted to the agency at the same time that it is submitted to
13 the court.” Good cause exists to grant Plaintiff’s Motion because the PAGA settlement is fair and adequate,
14 meets the standards for PAGA approval, and was submitted to the LWDA at the same time it was filed
15 with the Court.

16 This motion is based upon this Notice of Motion and Motion, the accompanying Memorandum of
17 Points and Authorities and declarations in support of the motion, and attached exhibits, such evidence and
18 argument of counsel as may be presented at the hearing, the complete files and records in the above-
19 captioned matter, and such additional matters as the Court may consider.

20 Respectfully submitted,

21 RICHARD LAW, P.C.

22 September 24, 2024

23 By: Diane Richard
24 DIANE E. RICHARD
25 Attorney for Plaintiff
26 Gabriel Torres
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PROOF OF SERVICE

Gabriel Torres v. Pacific Debt, Inc. (37-2024-00003429-CU-OE-CTL)

1. At the time of service, I was a United States citizen, a resident of the County of San Diego, over 18 years of age, and not a party to or interest in this action.

2. My business address is 5060 N. Harbor Drive, Suite 265, San Diego, CA 92106.

3. On September 24, 2024 I served the following document(s), including all exhibits thereto:

- **NOTICE OF PLAINTIFF'S UNOPPOSED MOTION AND PLAINTIFF'S MOTION FOR APPROVAL OF PAGA SETTLEMENT**

4. I served the document(s) on the following:

Guillermo A. Escobedo
Constangy, Brooks, Smith & Prophete LLP.
501 W. Broadway, Suite 800
San Diego, California 92101
Telephone: 619.605.5734
Electronic Service Addresses: gescobedo@constangy.com

5. The document(s) were served by the following means:

- ☒ **BY ELECTRONIC SERVICE** –Based on a court order, court rule, or an agreement of the parties to accept electronic service, I caused such document(s) to be delivered to the person(s) at the electronic service address set forth above. Said document(s) was/were served electronically and the transmission was reported as complete and without error.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on **September 24, 2024**, at San Diego, California.

Diane Richard

Name

/s/ Diane Richard

Signature