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7 Attorneys for Plaintiff ARTHUR QUESADA

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF ALAMEDA**
10

11
12 ARTHUR QUESADA, as an individual and
on behalf of all others similarly situated,

13
14 Plaintiff,

15 v.

16 XPDEL, INC., a California Corporation
17 and DOES 1-100, inclusive, ADVATIX,
18 INC., a Delaware Corporation, and DOES
1-100, inclusive,

19 Defendants.
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Case No.: 23CV031688

Assigned for All Purposes to:
Hon. Michael Markman
Dept. 23

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

[Filed concurrently with Memorandum of Points
and Authorities; Declarations of Brandon K.
Brouillette, Arthur Quesada, and Jodey Lawrence
[Proposed] Order]

Date: January 14, 2025
Time: 10:00 a.m.
Dept. 23

Reservation No.: 143290025208

1 TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that on January 14, 2025, at 10:00 a.m., or as soon thereafter as
3 the matter may be heard, in Department 23 of the above-captioned Court, located at 1221 Oak
4 Street, Oakland, California, plaintiff Arthur Quesada will move the Court for preliminary
5 approval of a proposed class action settlement in the above-captioned action under Cal. Rule of
6 Court 3.769. The terms of the settlement are contained within the Class and PAGA Action
7 Settlement and Class Notice ("Settlement Agreement"), filed concurrently herewith as Exhibit 1
8 to the Declaration of Brandon K. Brouillette. In addition, Plaintiff requests that the Court certify
9 the class described in the Settlement Agreement for purposes of settlement only; approve the form
10 of class notice attached as Exhibit A to the Settlement Agreement; approve Crosner Legal P.C. as
11 Class Counsel and plaintiff Arthur Quesada as the Class Representative, approve Phoenix
12 Settlement Administrators as the Settlement Administrator, and set a final approval hearing for
13 June 10, 2025, or the first available date on the Court's calendar thereafter.

14 This motion will be based on this Notice of Motion and Motion, the accompanying
15 Memorandum of Points and Authorities, the Settlement Agreement, the accompanying
16 Declarations of Brandon K. Brouillette, Arthur Quesada, and Jodey Lawrence, the Court's entire
17 file herein, and on such further evidence and argument as may be presented at the hearing.

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19 Dated: December 19, 2024

CROSNER LEGAL, P.C.

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21 By:  _____

22 Brandon K. Brouillette

23 Zachary M. Crosner

24 Attorneys for Plaintiff Arthur Quesada
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