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Attorneys for Plaintiff JUAN GARCIA

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

JUAN GARCIA on behalf of himself, all
others similarly situated, and on behalf of
the general public,

Plaintiff,

v.

BACKYARD PRODUCTS LLC; and
DOES 1-100,

Defendants.

Lead Case No. 24CV009779

Consolidated with Case No. 24CV019984

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Jill Talley

Department 23

CLASS ACTION

**NOTICE OF MOTION AND PLAINTIFF'S
MOTION FOR PRELIMINARY APPROVAL
OF CLASS AND PAGA REPRESENTATIVE
ACTION SETTLEMENT**

Date: August 22, 2025

Time: 9:00 a.m.

Dept.: 23

Reservation No.: #A-09779-001

Complaint Filed: May 17, 2024

Trial Date: Not set

PLEASE TAKE NOTICE, on August 22, 2025 at 9:00 a.m., or as soon as the matter may be heard in Department 23 of the above-captioned court, located at Gordon D. Schaber Courthouse, 720 9th Street, Sacramento, California, 95814, the Honorable Jill H. Talley presiding, Plaintiff Juan Garcia, on behalf of himself and others similarly situated, will move this Court for an Order:

1. Preliminarily approving the Class and PAGA Representative Action Settlement as fair, adequate, and reasonable based upon the terms set forth in the Class Action and PAGA Settlement Agreement (“Agreement”), including payment by Defendant Backyard Products LLC of the Gross Settlement Amount of \$1,350,000.00;

2. Conditionally certifying the case as a class action for settlement purposes only;

3. Approving Class Notice be mailed via first class U.S. Mail to all Settlement Class Members advising them of the pendency of Class Action, proposed Settlement, manner and procedure to submit requests for exclusion and objections to the Settlement, automatic payment of their share of the Net Settlement Amount without the need to return a claim form, date set for the Final Approval hearing, and of the right to appear at the Hearing;

4. Appointing Mara Law Firm, PC. and Cohelan Khoury & Singer as Class Counsel;

5. Appointing Plaintiff Juan Garcia as Class Representative;

6. Appointing ILYM Group, Inc. as the Settlement Administrator; and

7. Setting a hearing date to consider final approval of the Settlement.

This motion is made based on this Notice, Points and Authorities, Declarations of Class Counsel David Mara and Isam C. Khoury, and Class Representative Juan Garcia, Declaration of Lisa Mullins on behalf of ILYM Group, Inc., the Agreement, [Proposed] Order Granting Motion for Preliminary Approval, the Court’s files, and such other evidence the Court may consider.

Pursuant to Local Rule 1.06 (A), the Court will make a tentative ruling on the merits of this matter by 2:00 p.m., the court day before the hearing. The complete text of the tentative ruling may be downloaded off the Court’s website. If the party does not have online access,

1 they may call the dedicated phone number for the department as referenced in the local
2 telephone directory between the hours of 2:00 p.m. and 4:00 p.m. on the court day before the
3 hearing and receive the tentative ruling. If a party does not call the Court and the opposing
4 party by 4:00 p.m. the court day before the hearing, no hearing will be held.

5 Respectfully submitted,

6 MARA LAW FIRM, PC
7 COHELAN KHOURY & SINGER

8 Dated: July 31, 2025

9 By: Rosemary C. Khoury
10 Rosemary C. Khoury
11 Attorneys for Plaintiff JUAN GARCIA, on
12 behalf of himself and all others similarly situated
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