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Attorneys for PLAINTIFF

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF TULARE

FIDEL GOMEZ, an individual, on behalf of
himself, and on behalf of all persons similarly
situated,

Plaintiffs,

v.

KIRBY MANUFACTURING, INC., a
California corporation; and DOES 1-50,
Inclusive,

Defendants.

Case No. VCU308341

**NOTICE OF MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Date: October 13, 2025

Time: 8:30 a.m.

Judge: Hon. Gary Johnson

Dept.: 7

1 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 YOU ARE HEREBY NOTIFIED THAT at 8:30 a.m. on October 13, 2025, or as soon
3 thereafter as the matter can be heard, in Department 7 of the above-entitled Court, before the
4 Honorable Judge Gary Johnson, Plaintiff Fidel Gomez (“Plaintiff”) will apply for an order granting
5 (1) Final Approval of the Class and PAGA Action Settlement, and (2) Entry of the Final Approval
6 Order and Judgment.

7 This Motion is brought in accordance with the Preliminary Approval Order dated July 22,
8 2025, and California Rules of Court, Rule 3.769. This Motion will be based on this notice, the
9 accompanying points and authorities, the Stipulation of Settlement of Class Action and PAGA
10 Action Claims and Release of Claims (hereinafter the “Agreement”), the Declaration of Jackland K
11 Hom, the Declaration of Shani O. Zakay, the Declaration of Jean-Claude Lapuyade, the Declaration
12 of the Settlement Administrator, the Declaration of the Plaintiff, and the complete files and records
13 in this action.

14 Because all parties have agreed to the proposed class settlement and have met and conferred
15 regarding the motion, this motion is not opposed by Defendant. To date, there have been no
16 objections submitted by the Class.

17 Respectfully submitted,

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19 Dated: September 16, 2025

ZAKAY LAW GROUP, APLC

20 By: Nicole Noursamadi
Nicole Noursamadi, Esq.

21 Attorneys for PLAINTIFF
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