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Attorney for Plaintiff,
ELENA MARTHA VARELA, on behalf of herself and all others similarly situated, and on behalf of the general public

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE

ELENA MARTHA VARELA, on behalf of herself and all others similarly situated, and on behalf of the general public,

Plaintiff,

vs.

FLORENCE CRITTENTON SERVICES OF ORANGE COUNTY, INC., a California Corporation, and DOES 1 to 10, inclusive,

Defendants.

Case No. 30-2025-01462276-CU-OE-CXC

PLAINTIFF'S NOTICE OF MOTION AND <u>UNOPPOSED</u> MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT

Date: July 16, 2026
Time: 2:00 p.m.
Dept.: CX105
Judge: Hon. Melissa R. McCormick
Reservation No.: 74836400

[*Filed concurrently with Plaintiff's Memorandum of Points and Authorities in Support Thereof; Declaration of Roman Otkupman; Declaration of Plaintiff Elena Martha Varela; and [Proposed] Order*]

TO ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on the date and time as set forth above, or as soon thereafter as the matter may be heard, in Department CX105 of the Orange County Superior Court located at 751 West Santa Ana Blvd., Santa Ana, CA 92701, Plaintiff, Elena Martha Varela, on behalf of herself and all others similarly situated ("Plaintiffs"), as proposed representative of the class, will and hereby does move this Court of the following:

1. Preliminary and conditional certification of the Class as described in the Class Action and PAGA Settlement Agreement ("Settlement Agreement") (attached as **Exhibit "B"** to the declaration of Roman Otkupman filed concurrently herewith) between Plaintiff and Defendant for purposes of settlement;

2. Preliminary approval of the Gross Settlement Amount of $500,000.00;

3. Preliminary approval of Plaintiff Elena Martha Varela as Class Representative;

4. Preliminary approval of Otkupman Law Firm, A Law Corporation, as Class Counsel.

5. Preliminary approval of settlement of the claims as set forth in the Settlement Agreement;

6. Approval as to the form and content of the proposed Class Notice and Exclusion Form, in the forms attached, respectively as **Exhibit "C"** and **Exhibit "D"** to the Declaration of Roman Otkupman, or in forms otherwise approved by the Court;

7. Approval of ILYM Group, Inc. ("ILYM") as Settlement Administrator and the costs of administration of the settlement for an amount up to $7,850.00;

8. Preliminary approval of the payment of service to Class Representative, Elena Martha Varela in the amount of $10,000.00;

9. Preliminary approval of the application for payment to Class Counsel of reasonable attorney's fees in the amount of 33.33% of the Gross Settlement Amount, or $166,650.00, and costs up to $25,000.00;

10. Preliminary approval of PAGA penalties in the amount of $40,000.00; and

11. Issuance of a schedule for implementation of the terms of the Settlement Agreement, including a date for a hearing for Final Approval of the Settlement;

The motion is based upon this Notice, the accompanying Memorandum of Points and Authorities, the Declaration of Roman Otkupman in support thereof, along with the attached Settlement Agreement and exhibits thereto, the Declaration of Plaintiff Elena Martha Varela, in

support thereof, the proposed Order submitted herewith, all other records, pleadings and papers filed in this action and upon such other documentary and oral evidence or argument as may be presented to the court at the hearing of this motion.

DATED: April 27, 2026

OTKUPMAN LAW FIRM,
A Law Corporation

By: 

Roman Otkupman
Nidah Farishta
Attorneys for Plaintiff,
Elena Martha Varela, on behalf of herself and all others similarly situated, and on behalf of the general public