

ZAKAY LAW GROUP, APLC

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Attorneys for Plaintiff PASSION MORRIS

(Additional Counsel listed on next page)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF KERN

PASSION MORRIS, an individual, on behalf of
herself and on behalf of all persons similarly
situated,

Plaintiff,

v.

HABERFELDE FORD, a California corporation;
JIM BURKE FORD LINCOLN, an unknown
business entity; and DOES 1 through 100,
Inclusive,

Defendants.

Case No. BCV-23-100471

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

Date: August 13, 2024

Time: 8:30 a.m.

Location: Metropolitan Division
Justice Building
1415 Truxtun Ave
Bakersfield, CA 93301

Judge: Hon. Thomas S. Clark

Dept.: 17

Edwin Aiwazian (SBN 232943)
LAWYERS *for* JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Tel: (818) 265-1020 / Fax: (818) 265-1021

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

2 PLEASE TAKE NOTICE that on August 13, 2024, at 8:30 a.m., or as soon thereafter as counsel
3 may be heard, in Department 17 of the Kern Superior Court, 1415 Truxtun Ave, Bakersfield, CA
4 93301, the Honorable Judge Thomas S. Clark presiding, Plaintiff PASSION MORRIS will, and hereby
5 does, move this Court to:

6 1. Preliminarily approve the settlement described in the Stipulation of Settlement of Class
7 and PAGA Action Claims and Release of Claims (“Agreement”) attached as Exhibit 1 to the
8 Declaration of Shani O. Zakay filed concurrently herewith;

9 2. Conditionally certify the Settlement Class;

10 3. Approve distribution of the proposed Notice Packet to the Settlement Class;

11 4. Appoint Plaintiff PASSION MORRIS as the Class Representative;

12 5. Appoint the Jean-Claude Lapuyade of the JCL Law Firm, APC, Shani Zakay of Zakay
13 Law Group, APLC, and Edwin Aiwazian of Lawyers for Justice, PC, as Class Counsel; and

14 7. Set a hearing date for final approval of the settlement.

15 This Motion is based upon: (1) this Notice of Motion; (2) the Memorandum of Points and
16 Authorities in Support of Motion for Preliminary Approval of Class Action and PAGA Settlement; (3)
17 the Declaration of Jean-Claude Lapuyade, Esq.; (4) the Declaration of Shani O. Zakay, Esq.; (5) the
18 Declaration of Edwin Aiwazian, Esq.; (6) the Declaration of Jackland K. Hom, Esq.; (7) the
19 Declaration of Sean Hartranft of APEX Class Action, LLC in Support of Plaintiff’s Motion for
20 Preliminary Approval of Class Action and PAGA Settlement; (8) the Declaration of Passion Morris;
21 (9) the Stipulation of Settlement of Class and PAGA Action Claims and Release and exhibit attached
22 thereto; (10) the [Proposed] Order Granting Preliminary Approval of Class Action and PAGA
23 Settlement and exhibits attached thereto; (11) the records, pleadings, and papers filed in this action;
24 and (12) upon such other documentary and oral evidence or argument as may be presented to the Court
25 at or prior to the hearing of this Motion.

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1 As this Motion is unopposed, the Parties respectfully request relief from the page limit
2 requirement set by California Rules of Court, Rule 3.1113(d).

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4 Dated: July 19, 2024

ZAKAY LAW GROUP, APLC

5 By: 
6 Shani O. Zakay, Esq.
7 Attorneys for Plaintiff
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