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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

JUSTIN CABATIT, an individual, on behalf of
himself and on behalf of all persons similarly
situated,

Plaintiff,

v.

PROSCIEN TO, INC., a Delaware corporation;
PROSCIEN TO CLINICAL RESEARCH
VENTURES, INC., a Delaware corporation;
and DOES 1-50, Inclusive,

Defendants.

Case No. 37-2023-00051828-CU-OE-CTL

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

Date: May 2, 2025
Time: 10:15 a.m.

Judge: Hon. Wendy M. Behan
Dept.: C-66

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

2 PLEASE TAKE NOTICE that as soon as counsel may be heard, in Department C-66 of the San
3 Diego Superior Court, the Honorable Judge Wendy M. Behan presiding, plaintiff Justin Cabatit will,
4 and hereby does, move this Court to:

5 1. Preliminarily approve the settlement described in the Stipulation of Settlement of Class
6 and PAGA Action Claims and Release of Claims ("Agreement") attached as Exhibit A to the
7 Declaration of Jean-Claude Lapuyade, Esq., filed concurrently herewith;

8 2. Conditionally certify the Settlement Class;

9 3. Approve distribution of the proposed Notice of Pendency of Class and Representative
10 Action Settlement and Final Hearing Date;

11 4. Appoint Plaintiff JUSTIN CABATIT as the Class Representative;

12 5. Appoint the JCL Law Firm, APC and Zakay Law Group, APLC as Class Counsel; and

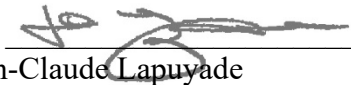
13 7. Set a hearing date for final approval of the settlement.

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

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

24
25 Dated: October 15, 2024

JCL LAW FIRM, APC

26 By: 
27 Jean-Claude Lapuyade
28 Attorneys for Plaintiff