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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **IN AND FOR THE COUNTY OF SANTA BARBARA**

15 DEREK CASEY, an individual, on behalf
16 of himself and on behalf of all persons
17 similarly situated,

18 Plaintiff,

19 vs.

20 MARBORG RECOVERY, LP, a
21 California Limited Partnership;
22 MARBORG INDUSTRIES, a California
23 Corporation; and DOES 1 through 50,
24 inclusive,

25 Defendants.

CASE NO.: **24CV02182**

**NOTICE OF MOTION AND
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
SETTLEMENT**

Hearing Date: September 4, 2026

Hearing Time: 10:00 a.m.

Judge: Hon. Donna D. Geck
Dept.: 4

Date Action Filed: April 18, 2024

Trial Date: Not set

26 **TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

27 YOU ARE HEREBY NOTIFIED THAT at 10:00 a.m. on September 4, 2026 in
28 Department 64 at the above entitled Court before the Honorable Donna D. Geck, Plaintiff

1 Derek Casey (“Plaintiff”) will apply for an order: (1) preliminarily approving the proposed
2 settlement of this class and Private Attorneys General Act (“PAGA”) action with Defendants
3 Marborg Recovery, LP and Marborg Industries (“Defendants”); (2) for settlement purposes
4 only, conditionally certifying the Class, which is comprised of “all individuals who were
5 employed by Defendants in California and classified as a non-exempt employee at any time
6 during the Class Period”, which is April 18, 2020 through February 5, 2026; (3)
7 provisionally appointing Plaintiff as the representatives of the Class; (4) provisionally
8 appointing Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class Counsel; (5)
9 approving the form and method for providing class-wide notice; (6) directing that notice of
10 the proposed settlement be given to the Class; (7) appointing Apex Class Action LLC as
11 Administrator, and (8) scheduling a final approval hearing date, proposed for January 29,
12 2027, to consider Plaintiff’s motion for final approval of the settlement and for approval of
13 attorneys’ fees, expenses and the representative service award.

14 This unopposed motion for preliminary approval of the class and PAGA settlement is
15 brought pursuant to California Rules of Court, rule 3.769. Plaintiff’s motion will be based
16 on this notice of motion and motion, the accompanying memorandum of points and
17 authorities, the Declaration of Kyle Nordrehaug, the Declaration of the Plaintiff, the Class
18 Action and PAGA Settlement Agreement (“Agreement”) between the Parties, and the
19 complete files and records in this action. Because all Parties have agreed to the proposed
20 class settlement, this motion is not opposed by Defendant.

21 Respectfully submitted,

22 Dated: May 7, 2026

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

23 By: /s/ Kyle Nordrehaug
24 Kyle R. Nordrehaug, Esq.
25 Attorney for Plaintiff
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