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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **IN AND FOR THE COUNTY OF SANTA CLARA**

15 DOUGLAS PATTON, on behalf of the
16 State of California, as a private attorney
17 general, and as an individual, on behalf of
18 himself and on behalf of all persons
19 similarly situated, and SALVADOR
20 REYNOSA, JR., an individual, on behalf of
21 himself and on behalf of all persons
22 similarly situated,

23 Plaintiffs,

24 vs.

25 HOME DEPOT U.S.A., INC., a
26 Corporation; and Does 1 through 50,
27 Inclusive,

28 Defendants.

Case No. 21CV387956

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

Hearing Date: April 4, 2024

Hearing Time: 1:30 p.m.

Judge: Hon. Charles F. Adams
Dept: 7

Date Filed: October 13, 2021

Trial Date: Not set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT on April 4, 2024 at 1:30 p.m., in
Department 7 of the above entitled Court before the Honorable Charles F. Adams, Plaintiffs

1 Salvador Reynosa, Jr. and Douglas Patton (“Plaintiffs”) will apply for an order: (1)
2 preliminarily approving the proposed settlement of this class and representative action with
3 Home Depot U.S.A., Inc. (“Defendant”); (2) for settlement purposes only, conditionally
4 certifying the Class, which is comprised of all non-exempt, hourly associates employed by
5 Home Depot U.S.A., Inc. (and its past and present Affiliates) in the State of California at a
6 California supply chain facility at any point during the Class Period, excluding those
7 associates who worked at the Tracy RDC prior to June 17, 2021; (3) provisionally
8 appointing Plaintiffs as the representatives of the Class; (4) provisionally appointing
9 Norman B. Blumenthal, Kyle R. Nordrehaug, Aparajit Bhowmik, Nicholas J. DeBlouw, and
10 Christine T. LeVu of Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class Counsel
11 for the Class; (5) approving the form and method for providing class-wide notice;
12 (6) directing that notice of the proposed settlement be given to the Class; (7) appointing
13 ILYM Group as the Settlement Administrator; and (8) scheduling a final approval hearing
14 date proposed for September 5, 2024 to consider Plaintiffs’ motion for final approval of the
15 settlement and for approval of attorneys' fees and expenses.

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

23 Respectfully submitted,

24 Dated: March 8, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

25 By: /s/ Kyle Nordrehaug
26 Norman B. Blumenthal, Esq.
27 Kyle R. Nordrehaug, Esq.
28 Attorney for Plaintiffs