

JCL LAW FIRM, APC

Jean-Claude Lapuyade (State Bar #248676)
Sydney Castillo-Johnson (State Bar #343881)
Perssia Razma (State Bar #351398)
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Telephone: (619) 599-8292
Facsimile: (619) 599-8291
jlapuyade@jcl-lawfirm.com
scastillo@jcl-lawfirm.com
prazma@jcl-lawfirm.com

ZAKAY LAW GROUP, APLC

Shani O. Zakay (State Bar #277924)
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Telephone: (619) 255-9047
Facsimile: (858) 404-9203
shani@zakaylaw.com

Attorneys for Plaintiff JOSEPH CHRISTOPHER KIRKHAM

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF RIVERSIDE

JOSEPH CHRISTOPHER KIRKHAM, an
individual, on behalf of himself and on behalf
of all persons similarly situated,

Plaintiff,

v.

PALM DESERT GREENS ASSOCIATION, a
California Corporation; and DOES 1-50,
Inclusive,

Defendant.

Case No. CVRI2202569

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

Date: August 6, 2024

Time: 8:30 a.m.

Judge: Hon. Harold W. Hopp

Dept.: 1

1 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 YOU ARE HEREBY NOTIFIED THAT at 8:30 a.m. on August 6, 2024, or as soon
3 thereafter as the matter can be heard, in Department 1 of the above-entitled Court, before the
4 Honorable Judge Harold W. Hopp, Plaintiff Joseph Christopher Kirkham (“Plaintiff”) will apply
5 for an order will apply for an order granting (1) Final Approval of the Class Action and PAGA
6 Settlement, and (2) Entry of the Final Approval Order and Judgment.

7 This Motion is brought in accordance with the Preliminary Approval Order dated April 3,
8 2024, and California Rules of Court, rule 3.769. This Motion will be based on this notice, the
9 accompanying points and authorities, the Stipulation of Settlement of Class and PAGA Action
10 Claims and Release of Claims (hereinafter collectively the “Agreement”), the Declaration of
11 Sydney Castillo-Johnson, Esq., the Declaration of Shani O. Zakay, Esq., the Declaration of Jean-
12 Claude Lapuyade, Esq., the Declaration of Madely Nava (the Settlement Administrator), the
13 Declaration of the Plaintiff, and the complete files and records in this action.

14 The Court will make a tentative ruling on the merits of this matter by 3:00 p.m. on the
15 court day prior to the hearing. Tentative rulings will be available on the Internet or by calling 1-
16 760-904-5722. To view go to: <http://www.riverside.courts.ca.gov> and click on the tentative ruling
17 link. The tentative ruling shall become the ruling of the Court unless, by 4:30 p.m. on the court
18 day before the scheduled hearing, a party gives notice of intent to appear to all parties and the
19 court. The notice of intent to appear must be given either in person or by telephone. Where notice
20 of intent to appear has been properly given, or upon direction of the Court, oral argument will be
21 permitted.

22 Because all parties have agreed to the proposed class settlement and have met and
23 conferred regarding the motion, this motion is not opposed by Defendant. To date, there have
24 been no objections submitted by the Class.

25
26 Dated: July 12, 2024

Respectfully submitted,
JCL LAW FIRM, APC

27 By: Sydney Castillo-Johnson
Sydney Castillo-Johnson, Esq.
28 Attorneys for Plaintiff