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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;

Defendants.

Case No. CVRI2202569

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

Date: April 3, 2024

Time: 8:30 a.m.

Judge: Hon. Harold W. Hopp

Dept.: 1

Reservation #: 260735365086

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

2 PLEASE TAKE NOTICE that on April 3, 2024, at 8:30 a.m., or as soon thereafter as counsel
3 may be heard, in Department 1 of the Riverside Superior Court, the Honorable Judge Harold W. Hopp
4 presiding, Plaintiff JOSEPH KIRKHAM will, 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 filed concurrently herewith;

8 2. Conditionally certify the Settlement Class;

9 3. Approve distribution of the proposed Notice of Pendency of Class Action Settlement,
10 Exclusion Form, Objection Form, and Final Hearing Date to the Settlement Class;

11 4. Appoint Plaintiff Joseph Kirkham as the Class Representative;

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

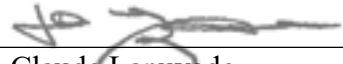
13 7. Set a hearing date for final approval of the settlement.

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 and PAGA Action Settlement; (3)
16 the Declaration of Jean-Claude Lapuyade, Esq.; (4) the Declaration of Shani O. Zakay, Esq.; (5) the
17 Declaration of Joseph Kirkham; (6) the Stipulation of Settlement of Class and PAGA Action Claims
18 and Release of Claims and exhibit attached thereto; (7) the [Proposed] Order Granting Preliminary
19 Approval of Class and PAGA Action Settlement and exhibits attached thereto; (8) the records,
20 pleadings, and papers filed in this action; and (9) upon such other documentary and oral evidence or
21 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 Dated: March 8, 2023

JCL LAW FIRM, APC

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