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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN MATEO

RICARDO COLIN COVARRUBIAS, an
individual(S), on behalf of himself and on
behalf of all persons similarly situated,

Plaintiff,

v.

PENINSULA CUSTOM HOMES, INC., a
California Corporation; and DOES 1-50,
Inclusive,

Defendants.

Case No. 22-CIV-02733

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

Date: December 6, 2022
Time: 2:00 p.m.

Judge: Hon. Marie S. Weiner
Dept.: 2

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

2 PLEASE TAKE NOTICE that on December 6, 2022, at 2:00 p.m., or as soon thereafter as
3 counsel may be heard, in Department 2 of the San Mateo Superior Court, the Honorable Judge Marie
4 Weiner presiding, plaintiff RICARDO COLIN COVARRUBIAS will, and hereby does, move this
5 Court to:

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

9 2. Conditionally certify the Settlement Class;

10 3. Approve distribution of the proposed Notice of Class Action Settlement and Final
11 Hearing Date to the Settlement Class;

12 4. Appoint Plaintiff RICARDO COLIN COVARRUBIAS as the Class Representative;

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

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

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

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

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4 Dated: November 9, 2022

JCL LAW FIRM, APC

5 By: 
6 Jean-Claude Lapuyade
7 Attorneys for Plaintiff
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