

ZAKAY LAW GROUP, APLC

Shani O. Zakay (State Bar #277924)
Jackland K. Hom (State Bar #327243)
Julieann Alvarado (State Bar #334727)
Rachel N. Newman (State Bar #350826)
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Telephone: (619) 255-9047
Facsimile: (858) 404-9203
shani@zakaylaw.com
jackland@zakaylaw.com
julieann@zakaylaw.com
rachel@zakaylaw.com

JCL LAW FIRM, APC

Jean-Claude Lapuyade (State Bar #248676)
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Telephone: (619) 599-8292
Facsimile: (619) 599-8291
jlapuyade@jcl-lawfirm.com

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

LUIS DE JESUS CLAUDIO, an individual, on
behalf of himself, and on behalf of all persons
similarly situated,

Plaintiff,

v.

UNI CARE HOME HEALTH INC., a
California Corporation; and DOES 1 through
50, Inclusive,

Defendants.

Case No. 37-2022-00003063-CU-OE-CTL

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

Date: June 28, 2024
Time: 9:30 a.m.

Judge: Hon. Wendy M. Behan
Dept.: C-66

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

2 PLEASE TAKE NOTICE that on June 28, 2024 at 9:30 a.m., or as soon thereafter as counsel
3 may be heard, in Department C-66 of the San Diego Superior Court, the Honorable Judge Wendy M.
4 Behan presiding, plaintiff Luis De Jesus Claudio 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, Esq., filed concurrently herewith;

8 2. Conditionally certify the Settlement Class;

9 3. Approve distribution of the proposed Notice of Pendency of Class and Representative
10 Action Settlement and Final Hearing Date;

11 4. Appoint Plaintiff LUIS DE JESUS CLAUDIO as the Class Representative;

12 5. Appoint the JCL Law Firm, APC and Zakay Law Group, APLC; 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 Action Settlement; (3) the
16 Declaration of Jean-Claude Lapuyade, Esq.; (5) the Declaration of Luis De Jesus Claudio; (6) the
17 Stipulation of Settlement of Class and PAGA Action Claims and Release of Claims and exhibit
18 attached thereto; (7) the [Proposed] Order Granting Preliminary Approval of Class Action Settlement
19 and exhibits attached thereto; (8) the records, pleadings, and papers filed in this action; and (9) upon
20 such other documentary and oral evidence or argument as may be presented to the Court at or prior to
21 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: June 4, 2024

JCL LAW FIRM, APC

25 By: 
26 Jean-Claude Lapuyade
27 Attorneys for Plaintiff
28