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Attorneys for PLAINTIFF BILLY DANIEL JR.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN BERNARDINO

BILLY DANIEL JR., an individual, on behalf
of himself, and on behalf of all persons
similarly situated,

Plaintiff,

vs.

THE VASQUEZ COMPANY, a California
Corporation; and DOES 1 through 50,
Inclusive;

Defendants.

Case No.: CIVSB2204403

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION TO APPROVE PAGA
SETTLEMENT**

Hearing Date: June 8, 2023

Hearing Time: 10:00 a.m.

Judge: Hon. David Cohn

Dept.: S-26

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

2 YOU ARE HEREBY NOTIFIED THAT at 10:00 a.m. on June 8, 2023, or as soon thereafter
3 as the matter can be heard, in Department S-26 of the above-entitled Court, Plaintiff Billy Daniel
4 Jr. and Plaintiff Jessica Pereabras (collectively "Plaintiffs"), pursuant to labor Code section
5 2699(1)(2), will apply for an Order Approving the parties' PAGA Settlement and entry of the
6 agreed-upon Proposed Final Judgment, which are filed concurrently herewith. Defendant has not
7 provided any indication that they oppose Plaintiff's Motion.

8 This Motion will be made on the grounds that the proposed PAGA Settlement is fair,
9 adequate, reasonable, and in the best interests of the State of California and the aggrieved
10 employees. This Motion will be based on this notice, the accompanying points and authorities, the
11 Declarations of Shani O. Zakay, Jean-Claude Lapuyade and Michael Boyamian and the complete
12 files and records in this action.

13 Plaintiffs respectfully request that, pursuant to the specific terms (including timing and
14 manner) as set forth in the executed PAGA Settlement Agreement (the "Settlement Agreement")
15 and assuming conditions are met therein, the Court (1) grant approval of the parties' PAGA
16 Settlement; (2) appoint ILYM Group as the Settlement Administrator; and (3) award Plaintiffs'
17 Counsel their fees' and litigation costs. Plaintiffs also request that the Court sign and enter the
18 proposed PAGA Settlement Approval Order and Final Judgment, filed concurrently herewith.

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20 Dated: April 4, 2023

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22 By:

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Jean-Claude Lapuyade, Esq.
Shani O. Zakay, Esq.
24 Attorney for Plaintiffs and the Aggrieved Employees
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