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Attorneys for Plaintiff FREDERICK LINDSAY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF RIVERSIDE

FREDERICK LINDSAY, an individual, in his
representative capacity on behalf of the State
of California and fellow Aggrieved
Employees,

Plaintiff,

v.

STAFFMARK INVESTMENT LLC, a
Delaware limited liability company, DENSO
INTERNATIONAL AMERICA, INC., a
Delaware corporation; DENSO PRODUCTS
AND SERVICES AMERICAS, INC., a
California corporation; and DOES 1 through
50, Inclusive,

Defendants.

Case No.: CVRI2203360

**PLAINTIFF'S NOTICE OF MOTION AND
MOTION TO APPROVE PAGA
SETTLEMENT**

Hearing Date: December 10, 2024
Hearing Time: 8:30 A.M.

Judge: Hon. Harold W. Hopp
Dept.: 1

Reservation ID: 702175035858

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

2 YOU ARE HEREBY NOTIFIED THAT at 8:30 A.M. on September 5, 2024, or as soon
3 thereafter as the matter can be heard, in Department 1 of the above-entitled Court, Plaintiff
4 Frederick Lindsay (“Plaintiff”), pursuant to labor Code section 2699(1)(2), will apply for an Order
5 Approving the parties’ PAGA Settlement and entry of the agreed-upon Proposed Final Judgment,
6 which are filed concurrently herewith. Defendants have advised that they do not oppose Plaintiff’s
7 Motion.

8 This unopposed Motion will be made on the grounds that the proposed PAGA Settlement is
9 fair, 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 and Jean-Claude Lapuyade, and the complete files and records in
12 this action.

13 Plaintiff respectfully requests that, pursuant to the specific terms (including timing and
14 manner) as set forth in the executed Stipulation of Settlement of PAGA Claims and Release of
15 PAGA Claims (the “Settlement Agreement”) and assuming conditions are met therein, the Court (1)
16 grant approval of the Parties’ PAGA Settlement; (2) appoint Apex Class Action LLC as the Claims
17 Administrator; (3) direct that the agreed-upon Notice of PAGA Settlement be approved and sent to
18 the allegedly aggrieved employees with their settlement share checks in the manner set forth in the
19 Settlement Agreement; (4) award PAGA Counsel their fees’ and litigation costs; and (5) award
20 Plaintiff his Service Award. Plaintiff also requests that the Court sign and enter the proposed PAGA
21 Settlement Approval Order and Final Judgment, filed concurrently herewith.

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

8 Dated: October 23, 2024

ZAKAY LAW GROUP, APLC

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10 By: _____

11 Jackland K. Hom, Esq.
12 Attorneys for Plaintiff
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Court Reservation Receipt

Reservation			
Reservation ID: 702175035858		Status: RESERVED	
Reservation Type: Motion for Approval of PAGA Settlement		Number of Motions: 1	
Case Number: CVRI2203360		Case Title: LINDSAY vs STAFFMARK INVESTMENT LLC	
Filing Party: FREDERICK LINDSAY (Plaintiff)		Location: Historic Court House - Department 1	
Date/Time: December 10th 2024, 8:30AM		Confirmation Code: CR-FWT4O6ACTKYDYSZFC	

Fees			
Description	Fee	Qty	Amount
Motion for Approval of PAGA Settlement	0.00	1	0.00
TOTAL			\$0.00

Payment	
Amount: \$0.00	Type: NOFEE

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