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Attorneys for PLAINTIFFs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

MICHAEL MCGEE, Wael Kanafani,
David Uribe, Zachary McGordon,
Katie Rosas, Teresa Rau, and
Immanuel Pascual, individuals, on
behalf of themselves, and on behalf of all
persons similarly situated,

Plaintiffs,

v.

MITRA VI, LLC, an Arizona limited liability
company; DENALI MIDCO 2 LLC, a

Case No: 37-2022-00044660-CU-OE-CTL

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

Date: September 19, 2025

Time: 9:30 a.m.

Judge: Hon. Gregory W. Pollack

Dept.: C-71

Delaware limited liability company; and DOES
1-50, Inclusive,
Defendants.

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

2 PLEASE TAKE NOTICE that on September 19, 2025, at 9:30 a.m., or as soon thereafter as
3 counsel may be heard, in Department C-71 of the San Diego Superior Court, the Honorable Judge
4 Gregory W. Pollack presiding, Plaintiffs Wael Kanafani, David Uribe, Michael McGee, Immanuel
5 Pascual, Zachary McGordon, Katie Rosas, and Theresa Rau (collectively, "Plaintiffs") will, and
6 hereby do, move this Court to:

7 1. Preliminarily approve the settlement described in the Stipulation for Class and PAGA
8 Action Settlement and Release of Claims ("Agreement"), attached as Exhibit 1 to the Declaration of
9 Sydney Castillo-Johnson filed concurrently herewith;

10 2. Conditionally certify the Class;

11 3. Approve distribution of the proposed Notice of Pendency of Class Action Settlement
12 and Final Hearing Date ("Notice Packet" or "Notice") attached as Exhibit A to the Agreement;

13 4. Appoint Plaintiffs as the Class Representatives;

14 5. Appoint Jean-Claude Lapuyade, Esq. of the JCL Law Firm, APC, Shani O. Zakay, Esq.
15 of Zakay Law Group, APLC, and Eric K. Yaeckel, Esq. of Sullivan & Yaeckel Law Group, APC, as
16 Class Counsel;

17 6. Set a hearing date for final approval of the settlement.

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1 This Motion is based upon: (1) this Notice of Motion; (2) the Memorandum of Points and
2 Authorities in Support of Motion for Preliminary Approval of Class Action and PAGA Settlement; (3)
3 the Declaration of Jean-Claude Lapuyade, Esq.; (4) the Declaration of Shani O. Zakay, Esq.; (5) the
4 Declaration of Sydney Castillo-Johnson, Esq.; (6) the Declaration of Eric K. Yaeckel; (7) the
5 Declaration of Wael Kanafani; (8) the Declaration of David Uribe; (9) the Declaration of Michael
6 McGee; (10) the Declaration of Immanuel Pascual; (11) the Declaration of Zachary McGordon; (12)
7 the Declaration of Katie Rosas; (13) the Declaration of Theresa Rau; (14) the Declaration of the
8 Settlement Administrator; (15) the Agreement and Notice attached thereto; (16) the [Proposed] Order
9 Granting Preliminary Approval of Class Action and PAGA Settlement and exhibits attached thereto;
10 (17) the records, pleadings, and papers filed in this action; and (18) upon such other documentary and
11 oral evidence or argument as may be presented to the Court at or prior to the hearing of this Motion.
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13 As this Motion is unopposed, the Parties respectfully request relief from the page limit
14 requirement set by California Rules of Court, Rule 3.1113(d).
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16 Dated: August 22, 2025

JCL LAW FIRM, APC

17 By: Sydney Castillo-Johnson
18 Sydney Castillo-Johnson, Esq.
19 Attorneys for PLAINTIFFS
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