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Attorneys for Plaintiff JANENE CARACAUS

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

JANENE CARACAUS, an individual, on
behalf of herself, and on behalf of all
persons similarly situated,

Plaintiff,

vs.

DANNY'S HOME HEALTHCARE, INC.,
a California Corporation; and DOES 1-50,
Inclusive,

Defendants.

Case No. 37-2022-00020531-CU-OE-CTL

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

Date: November 1, 2024

Time: 9:00am

Judge: Hon. James A. Mangione

Department: C-75

Trial Date: N/A

Action Filed: May 31, 2022

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

2 PLEASE TAKE NOTICE that on November 1, 2024, at 9:00 a.m., or as soon thereafter as
3 counsel may be heard, in Department C-75 of the San Diego Superior Court, the Honorable James A.
4 Mangione presiding, Plaintiff JANENE CARACAUS ("Plaintiff") will, and hereby does, move this
5 Court to:

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

9 2. Conditionally certify the Settlement Class;

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

12 4. Appoint Plaintiff JANENE CARACAUS as the Class Representative;

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

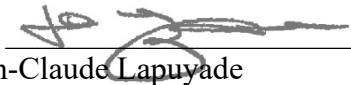
14 7. Set a hearing date for final approval of the settlement.

15 This Motion is based upon: (1) this Notice of Motion; (2) the Memorandum of Points and
16 Authorities in Support of Motion for Preliminary Approval of Class and PAGA Action Settlement; (3)
17 the Declaration of Jean-Claude Lapuyade, Esq.; (4) the Declaration of Shani O. Zakay, Esq.; (5) the
18 Declaration of Janene Caracaus; (7) the Stipulation of Settlement of Class and PAGA Action Claims
19 and Release of Claims and exhibit attached thereto; (8) the [Proposed] Order Granting Preliminary
20 Approval of Class and PAGA Action Settlement and exhibits attached thereto; (9) the records,
21 pleadings, and papers filed in this action; and (10) upon such other documentary and oral evidence or
22 argument as may be presented to the Court at or prior to the hearing of this Motion.

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

25 Dated: October 9, 2024

JCL LAW FIRM, APC

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