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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

VIOLENA PEREZ MARTINEZ, an
individual, on behalf of herself, and on behalf
of all other aggrieved employees,

PLAINTIFFS,

vs.

OLLI SALUMERIA AMERICANA, LLC;
and Does 1 through 50, Inclusive,

DEFENDANTS.

Case No: 37-2022-00017063-CU-OE-CTL

Action Filed: May 5, 2022

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

Date: April 7, 2023

Time: 9:00 a.m.

Dept.: 75

Judge: Hon. James Mangione

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

2 YOU ARE HEREBY NOTIFIED THAT at 9:00 a.m. on April 7, 2023, or as soon
3 thereafter as the matter can be heard, in Department 75 of the above-entitled Court, Plaintiff
4 Violena Perez Martinez ("Plaintiff"), pursuant to labor Code section 2699(1)(2), will apply for an
5 Order Approving the parties' PAGA Settlement and entry of the agreed-upon Proposed Order,
6 which are filed concurrently herewith. Defendant has advised that it does not oppose Plaintiff's
7 Motion.

8 This unopposed Motion will be made on the grounds that the proposed PAGA Settlement
9 is 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 request that, pursuant to the specific terms (including timing and
14 manner) as set forth in the executed Joint Stipulation of Settlement of PAGA Action and Release
15 of PAGA Claims (the "Settlement Agreement") and assuming conditions are met therein, the
16 Court (1) grant approval of the parties' PAGA Settlement; (2) appoint ILYM Group as the
17 Settlement Administrator; (3) direct that the agreed-upon Notice of PAGA Settlement be
18 approved and sent to the allegedly aggrieved employees with their settlement share checks in the
19 manner set forth in the Settlement Agreement; (4) award Plaintiff their service awards; and (5)
20 award PAGA Counsel their fees' and litigation costs. Plaintiff also request that the Court sign and
21 enter the Proposed Order Granting Plaintiff's Motion to Approve PAGA Settlement and
22 Judgment, filed concurrently herewith.

23
24 Dated: March 13, 2023

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25 
26 Shani O. Zakay, Esq.
27 Attorney for Plaintiff and the Aggrieved
28 Employees