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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

KAREEM COLES, an individual, on behalf of
himself, and on behalf of all persons similarly
situated,

Plaintiffs,

v.

CAREFUSION RESOURCES, LLC, a
Delaware Limited Liability Company;
BECTON DICKINSON AND COMPANY, a
New Jersey Corporation; and DOES 1-50,
Inclusive,

Defendants.

Case No: 37-2022-00048696-CU-OE-CTL

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

Date: October 20, 2023

Time: 10:30 a.m.

Judge: Hon. Loren Freestone

Dept.: C-64

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

2 PLEASE TAKE NOTICE that on October 20, 2023, at 10:30 a.m., or as soon thereafter as
3 counsel may be heard, in Department C-64 of the San Diego Superior Court, the Honorable Judge
4 Loren Freestone presiding, Plaintiff Kareem Coles ("Plaintiff") will, and hereby does, move this Court
5 to:

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

9 2. Conditionally certify the Settlement Class;

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

13 4. Appoint Plaintiff Kareem Coles as the Class Representatives;

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

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

17 This Motion is based upon: (1) this Notice of Motion; (2) the Memorandum of Points and
18 Authorities in Support of Motion for Preliminary Approval of Class Action and PAGA Settlement; (3)
19 the Declaration of Jean-Claude Lapuyade, Esq.; (4) the Declaration of Shani O. Zakay, Esq.; (5) the
20 Declaration of Kareem Coles; (6) the Declaration of the Settlement Administrator; (7) the Agreement
21 and Class Notice attached thereto; (8) the [Proposed] Order Granting Preliminary Approval of Class
22 Action and PAGA Settlement and exhibits attached thereto; (9) the records, pleadings, and papers filed
23 in this action; and (10) upon such other documentary and oral evidence or argument as may be
24 presented to the Court at or prior to the hearing of this Motion.

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

27 Dated: September 21, 2023

JCL LAW FIRM, APC

28 By: 
Jean-Claude Lapuyade
Attorneys for Plaintiff