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THE GRAVES FIRM
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Attorneys for Plaintiff
Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads,
Amanda Johnson, Suzanne Lansford, Joe Ortiz,
Kevin Robinson, Janet Tinoco, and David Velasco

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

JAN 18 2017

Sherri R. Carter, Executive Officer/Clerk
By CRYSTAL VARGAS, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

Richard Barajas, Felicia Bovenkerk,
Timothy Collins, Becky Eads,
Amanda Johnson, Suzanne Lansford,
Joe Ortiz, Kevin Robinson, Janet Tinoco,
and David Velasco appearing on behalf of
themselves and all others similarly
situated

Plaintiffs,

v.

Marlu Restaurant Group, Inc., Marlu
LC, Inc., Marlu Stockton LLC, Prestige
Management LLC, Smart Management
& Co., Inc., Secret River, Inc., Central
Valley QSR, Inc., G Maroni Company,
Inc., Caljax, Inc., C Food Concepts,
Inc., Aksan United Fortune, Inc.,
Cardinal Appliance & Hardware, Inc.,
Maritime Management Company, Marlu
Investment Group, Anton Lutfi, Stephen
Lutfi, Nader Lutfi and
DOES 1 through 10, inclusive,

Defendants

CASE NO: BC630452

**NOTICE OF MOTION AND MOTION
FOR AN ORDER:**

- (1) PRELIMINARILY APPROVING CLASS ACTION SETTLEMENT;**
- (2) CONDITIONALLY CERTIFYING THE SETTLEMENT CLASS;**
- (3) DIRECTING DISTRIBUTION OF NOTICE OF SETTLEMENT AND CLAIM FORM; AND**
- (4) SETTING A HEARING FOR FINAL APPROVAL OF THE SETTLEMENT**

Hearing Date: February 9, 2017
Time: 2:00 p.m.
Dept.: 322
Judge: Hon. William F. Highberger

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on February 9, 2017, at 2:00 p.m., or as soon as the matter may be heard before the Honorable William F. Highberger, in Department 322 of this Court, located at 600 South Commonwealth Avenue, Los Angeles, CA 90005, Plaintiffs and putative Class Representatives Richard Barajas, Felicia Bovenkerk, Timothy Collins, Becky Eads, Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin Robinson, Janet Tinoco, and David Velasco (“Plaintiffs”) will and hereby do move this Court for entry of the Proposed Order filed concurrently herewith:

1. Preliminarily approving the provisions of the Stipulation and Settlement of Class Action Claims, filed concurrently herewith;
2. Conditionally certifying a class for the purposes of settlement;
3. Appointing Richard Barajas, Felicia Bovenkerk, Timothy Collins, Becky Eads, Amanda Johnson, Suzanne Lansford, Joe Ortiz, Kevin Robinson, Janet Tinoco, and David Velasco as Class Representatives;
4. Appointing Allen Graves as Class Counsel;
5. Approving and directing distribution to the Class of the Notice of Settlement and Claim Form filed herewith;
6. Appointing Kurtzman Carson Consultants as Settlement Administrator;
7. Establishing the procedure and schedule for the Notice and Claim process; and
8. Setting a hearing for final approval of the settlement.

[Remainder of Page Intentionally Left Blank]

1 This motion is based upon this Notice of Motion and Motion, the Memorandum of
2 Points and Authorities in Support of Preliminary Approval, the Declaration of Allen
3 Graves, the Declaration of Richard Barajas, the Declaration of Felicia Bovenkerk, the
4 Declaration of Timothy Collins, the Declaration of Becky Eads, the Declaration of
5 Amanda Johnson, the Declaration of Suzanne Lansford, the Declaration of Joe Ortiz, the
6 Declaration of Kevin Robinson, the Declaration of Janet Tinoco, the Declaration of David
7 Velasco, Plaintiffs' Request for Judicial Notice, the executed Stipulation and Settlement
8 of Class Action Claims, the [Proposed] Order, the records, pleadings, and papers filed in
9 this action, and such other documentary and oral evidence or as may be presented to the
10 Court at the hearing of this motion.

11
12 DATED: January 17, 2017

THE GRAVES FIRM

13
14 By: 

ALLEN GRAVES

Attorney for Plaintiffs

Richard Barajas, Felicia Bovenkerk, Timothy Collins,
16 Becky Eads, Amanda Johnson, Suzanne Lansford,
17 Joe Ortiz, Kevin Robinson, Janet Tinoco, and
18 David Velasco

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss:
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18, and not a party to the within action. My business address is 122 N. Baldwin Ave., Main Floor, Sierra Madre, CA 91024.

On January 18, 2017, I served the following document(s) described as:

- **NOTICE OF MOTION AND MOTION FOR AN ORDER:**
 - (1) PRELIMINARILY APPROVING CLASS ACTION SETTLEMENT;**
 - (2) CONDITIONALLY CERTIFYING THE SETTLEMENT CLASS;**
 - (3) DIRECTING DISTRIBUTION OF NOTICE OF SETTLEMENT AND CLAIM FORM; AND**
 - (4) SETTING A HEARING FOR FINAL APPROVAL OF THE SETTLEMENT**

on the interested parties by placing a true copy thereof in a sealed envelope(s) addressed as follows:

Shane Singh Lewis Brisbois Bisgaard & Smith LLP 2020 W. El Camino Ave., Suite 700 Sacramento, CA 95833	Joshua Carlon Lewis Brisbois Bisgaard & Smith LLP 633 W. Fifth St., Suite 4000 Los Angeles, CA 90071
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- VIA OVERNIGHT MAIL:**
By delivering such document(s) to an overnight mail service or an authorized courier in a sealed envelope or package designated by the express service courier addressed to the person(s) on whom it is to be served.
- VIA U.S. MAIL:**
I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice such sealed envelope(s) would be deposited with the U.S. postal service on January 18, 2017 with postage thereon fully prepaid, at Sierra Madre, California.
- VIA PERSONAL DELIVERY:**
I delivered such documents to a professional messenger to be personally delivered by hand today to the offices of the addressee(s) pursuant to CCP §1011.
- VIA EMAIL:**
I personally sent such document(s) via email to the known email address of the person(s) on whom it is to be served before 5:00 p.m.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and was executed on January 18, 2017, at Sierra Madre, California.

Justine Gray <hr/> Type or Print Name	 <hr/> Signature
--	--

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA)
3) ss:
4 COUNTY OF LOS ANGELES)

5 I am employed in the County of Los Angeles, State of California. I am over the age of 18,
6 and not a party to the within action. My business address is 122 N. Baldwin Ave., Main Floor,
7 Sierra Madre, CA 91024.

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13 **CLAIM FORM; AND**
14 **(4) SETTING A HEARING FOR FINAL APPROVAL OF THE SETTLEMENT**

15 on the interested parties by placing a true copy thereof in a sealed envelope(s) addressed as
16 follows:

17 Joshua Carlon
18 Lewis Brisbois Bisgaard & Smith LLP
19 633 W. Fifth St., Suite 4000
20 Los Angeles, CA 90071

- 21 **VIA OVERNIGHT MAIL:**
22 By delivering such document(s) to an overnight mail service or an authorized courier in a
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I personally sent such document(s) via email to the known email address of the person(s) on
whom it is to be served before 5:00 p.m.

I declare under penalty of perjury under the laws of the State of California that the above
is true and correct and was executed on January 18, 2017, at Sierra Madre, California.

Kevin Karr
Type or Print Name


Signature