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Superior Court of California,  
County of Los Angeles  
1/09/2024 5:50 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By J. Gnade, Deputy Clerk

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13 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
14 FOR THE COUNTY OF LOS ANGELES

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16 JAMES WEDEL, CHARLES MCWHALES,  
SIMON MASHIAN, FAUSTO  
17 HERNANDEZ, MICHAELA VIVANT,  
MARJAN SVETKO, PEI EN CHONG  
18 SAMPSON, individually and on behalf of all  
others similarly situated,

19 Plaintiffs,

20 v.

21 DOUGLAS EMMETT, INC., a Maryland  
22 Corporation; BARRINGTON PACIFIC, LLC,  
a California limited liability company;  
23 DOUGLAS EMMETT MANAGEMENT,  
LLC, a Delaware limited liability company;  
24 and DOES 1–50, inclusive,

25 Defendants.

Case No. 20STCV03962

**PLAINTIFFS' NOTICE OF MOTION AND  
MOTION FOR PRELIMINARY APPROVAL  
OF CLASS ACTION SETTLEMENT**

Assigned to the Hon. David S. Cunningham

Date: February 20, 2024  
Time: 11:00 a.m.  
Dept.: 11

Action Filed: Jan. 30, 2020  
Trial Date: not set

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on February 20, 2024, at 11:00 a.m. or as soon thereafter as  
3 this matter may be heard in Department 11 of the above-captioned Court, located at located at 312  
4 North Spring Street, Los Angeles, CA 90012, the Honorable David S. Cunningham presiding,  
5 plaintiffs James Wedel, Charles McWhales, Simon Mashian, Fausto Hernandez, Michaela Vivant,  
6 Marjan Svetko, and Pei en Chong Sampson (collectively, "Plaintiffs") will and hereby do move for  
7 an order granting preliminary approval of the proposed class action settlement ("Settlement"). The  
8 Court will make a tentative ruling on the merits of this matter on the court day prior to the hearing.  
9 Tentative rulings will be available on the Internet or by calling 1-760-904-5722. To view go to:  
10 <https://www.lacourt.org/tentativeRulingNet/ui/main.aspx?casetype=civil> and enter Case No.  
11 20STCV03962. The tentative ruling shall become the ruling of the Court unless, by 4:30 p.m. on the  
12 court day before the scheduled hearing, a party gives notice of intent to appear to all parties and the  
13 Court. The notice of intent to appear must be given either in person or by telephone. Where notice of  
14 intent to appear has been properly given, or upon direction of the Court, oral argument will be  
15 permitted.

16 This motion is made on the ground that the Settlement is fair, reasonable, and adequate, and  
17 warrants preliminary approval. Plaintiffs request that the Court: (1) preliminarily approve the  
18 Settlement; (2) conditionally certify the Class and appoint the Class Representative(s), Class Counsel,  
19 and the Settlement Administrator; (3) approve and authorize class notice in the form attached as  
20 **Exhibit A** to the Settlement Agreement; and (4) set a date for the final approval hearing  
21 approximately 150 days after the Court enters the preliminary approval order.

22 This motion is based on this Notice, the Memorandum of Points and Authorities filed  
23 herewith, the Declaration of Putative Class Counsel Erick Kuylman, papers on file in this action, and  
24 on any argument or evidence presented at the hearing.

25 A proposed preliminary approval order is lodged herewith.

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Dated: January 9, 2024

**WARREN TERZIAN LLP  
GERAGOS & GERAGOS, APC**

  
Erick Kuylman  
*Counsel for Plaintiffs*