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7 Attorneys for Plaintiff JANICE INSIXIENGMAY on behalf
 of herself and similarly situated employees
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 10 **UNITED STATES DISTRICT COURT**
 11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

12 JANICE INSIXIENGMAY, individually and
 13 on behalf of all other similarly situated
 14 employees,

15 Plaintiff,

16 vs.

17 HYATT CORPORATION DBA HYATT
 18 REGENCY SACRAMENTO, a Delaware
 Corporation; and DOES 1 to 100, inclusive,

19 Defendants.
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Case No. 2:18-cv-02993-TLN-DB

CLASS ACTION

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

Date: November 16, 2023
 Time: 2:00 p.m.
 Courtroom: 2, 15th Floor
 Judge: Hon. Troy L. Nunley

Filed: October 4, 2018
 FAC Filed: April 7, 2020
 SAC Filed: April 6, 2023
 Trial Date: None Set

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that on November 16, 2023, at 2:00 p.m., or as soon thereafter as the
3 matter may be heard in Department 2, 15th Floor of the above-entitled Court, Plaintiff Janice
4 Insixiengmay, individually and on behalf of all other similarly situated individuals, hereby move for
5 entry of an Order for the following:

- 6 1. Preliminarily certifying the proposed class herein for purposes of settlement;
- 7 2. Preliminarily appointing Plaintiff Janice Insixiengmay as class representative for purposes of
8 settlement;
- 9 3. Preliminarily appointing Shimoda & Rodriguez Law, PC, as Class Counsel for purposes of
10 settlement;
- 11 4. Preliminarily approving the proposed class action and Private Attorneys General Act
12 settlement, in the amount of \$295,000, which is incorporated herein by reference;
- 13 5. Preliminarily approving the appointment of CPT Group, Inc. as the Settlement
14 Administrator;
- 15 6. Preliminarily approving the settlement of claims under the Private Attorneys General Act for
16 the total amount of \$10,000, 75% of which will be paid to the Labor and Workforce
17 Development Agency and 25% of which will be paid to Aggrieved Employees;
- 18 7. Approving as to form and content the Notice of Settlement, which provide Class Members
19 information regarding the settlement, their ability to opt out of, or object to, the class action
20 settlement and which provides instruction on how to dispute an individual's settlement
21 allocation under the proposed settlement agreement;
- 22 8. Approving the proposed procedures to notify the class and determining that the proposed
23 notification procedures and process complies with Class Members' due process rights and
24 directing the Notice of Settlement to be sent by first class mail to Class Members;
- 25 9. Directing Defendant to report employment information, including social security numbers, to
26 the Settlement Administrator to administer the settlement proceeds;
- 27 10. Scheduling a fairness hearing on the question of whether the proposed settlement should be
28 finally approved as fair, reasonable, and adequate;

1 11. Directing that any amount from settlement checks that were not cashed by the check cashing
2 deadline be donated equally, *i.e.*, 50/50, to Capital Pro Bono, Inc., and the Center for
3 Workers Rights under the doctrine of *cypres*; and

4 12. Preliminarily and conditionally approving and adopting the Proposed Order and its
5 implementation schedule, which is filed herewith and incorporated by reference.

6 This motion is being made pursuant to Federal Rule of Civil Procedure 23 and California Labor
7 Code section 2699(l), on the grounds that the proposed class action and Private Attorneys General Act
8 settlement is fair, reasonable, and adequate as to all Class Members and should be approved by the
9 Court. This motion will be based on the notice of motion, memorandum of points and authorities, the
10 Declaration of Justin P. Rodriguez, the Declaration of Janice Insixiengmay, exhibits, the record and files
11 of this case, and any further oral or documentary evidence introduced at the hearing of this motion.
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14 Dated: October 5, 2023

Shimoda & Rodriguez Law, PC

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16 By: /s/ Justin P. Rodriguez
17 Galen T. Shimoda
18 Justin P. Rodriguez
19 Brittany V. Berzin
20 Attorneys for Plaintiff
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