

1 Cristina Molteni (Bar No. 244715)  
cmolteni@moltenilaw.com  
2 **MOLTENI EMPLOYMENT LAW**  
100 Pine Street, Suite 1250  
3 San Francisco, California 94111  
Telephone: (415) 762-0270  
4 Facsimile: (415) 762-0271

5 *Attorneys for Plaintiffs and the Proposed Class*

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF SANTA CLARA**

10 FELIX AGUILAR, JOSE MARTINEZ, and  
11 JOSE CAZARES, individually, and on behalf of  
all others similarly situated,

12 Plaintiffs,

13 v.

14 ALL SEASONS ROOFING &  
15 WATERPROOFING, INC., VLADISLAV N.  
GORSHTEYN, and DOES 1 through 50,  
inclusive,

16 Defendants.

**Case No. 20CV364524**

ASSIGNED FOR ALL PURPOSES TO  
Hon. Sunil R. Kulkarni  
Department 1

**CLASS ACTION**

**PLAINTIFFS' NOTICE OF MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT; MEMORANDUM  
OF POINTS AND AUTHORITIES IN  
SUPPORT OF MOTION FOR ORDERS:**

- 17 **(1) PRELIMINARILY APPROVING CLASS  
ACTION SETTLEMENT AND  
PROVISIONALLY CERTIFYING THE  
PROPOSED SETTLEMENT CLASS;**
- 18 **(2) DIRECTING CLASSWIDE  
DISTRIBUTION OF SETTLEMENT  
NOTICE; AND**
- 19 **(3) SETTING A HEARING DATE FOR  
FINAL APPROVAL**

20 **Date: December 2, 2021**

21 **Time: 1:30 p.m.**

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

2 PLEASE TAKE NOTICE THAT on December 2, 2021, at 1:30 p.m., or as soon thereafter  
3 as the matter may be heard before the Honorable Sunil Kulkarni in Department 1 of the above-  
4 entitled Court, located at 191 North First Street, Second Floor, San Jose, California 95113,  
5 Plaintiffs and Class Representatives Felix Aguilar, Jose Martinez, and Jose Cazares, on behalf of  
6 themselves and all others similarly situated, will move the Court, and hereby do move the Court, for  
7 entry of an Order: (1) preliminarily approving the class action settlement reached in this action and  
8 provisionally certifying the proposed settlement class; (2) directing class-wide distribution of  
9 notice of settlement; and (3) setting the date for the final approval hearing.

10 The Motion is based on this Notice of Motion and Motion; the accompanying Memorandum  
11 of Points and Authorities, the Declarations of Cristina Moltèni, Felix Aguilar, Jose Martinez, and  
12 Jose Cazares, and exhibits thereto (including a copy of the signed settlement agreement); and on  
13 such further oral and documentary evidence which may be submitted or the Court may receive, and  
14 on the complete files and records in this Action.

15 Dated: November 5, 2021

MOLTENI EMPLOYMENT LAW

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17 By: \_\_\_\_\_

  
Cristina Moltèni  
Attorney for Plaintiffs