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9 Attorneys for Plaintiffs,
10 MARJORIE SAINT HUBERT,
11 VALERIE MARTINEZ, and THERESE SVENGERT,
12 individually and on behalf of all others similarly situated

13 MARJORIE SAINT HUBERT, VALERIE
14 MARTINEZ, and THERESE SVENGERT,
15 individually and on behalf of all others
16 similarly situated,

17 Plaintiffs,

18 vs.

19 EQUINOX HOLDINGS, INC., a Foreign
20 Corporation; and DOES 1 through 50,
21 inclusive,

22 Defendants.

Case No.: 2:21-cv-00086-VAP-JEMx

CLASS ACTION

**PLAINTIFF’S NOTICE OF SECOND
RENEWED MOTION AND MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: January 26, 2024

Time: 1:30 p.m.

Dept.: 6A

**TO ALL PARTIES, THEIR ATTORNEYS OF RECORD AND THIS
COURT:**

NOTICE IS HEREBY GIVEN that on January 26, 2024 at 1:30 p.m. in courtroom 6A of the United States District Court, Central District, located at 350 West 1st Street, Los Angeles, California 90012, the Honorable Phillip S. Gutierrez. presiding, Plaintiff MARJORIE SAINT HUBERT (“Plaintiff”) will move the Court for an Order pursuant to Federal Rule of Civil Procedure (“FRCP”) 23(e):

1 1. Preliminary approval of the proposed Class Settlement (“Settlement”) of
2 \$225,000.00 upon the terms and conditions set forth in the Stipulation of Class Settlement
3 and Release (“Settlement Agreement”);

4 2. Certification of a Class for settlement purposes only, consisting of the
5 following: The Class Members include all persons employed by Defendant as a
6 Membership Advisor or Senior Membership Advisor in California (“Class Members” or
7 “Settlement Class”) at any time from December 1, 2016, to date of preliminary approval
8 (“Class Period”).

9 3. An order appointing CPT Group as the Claims Administrator and directing
10 the Claims Administrator to distribute the proposed Class Notice of Settlement (“Class
11 Notice”) to the Class, pursuant to the procedures set forth in the terms of the Settlement
12 Agreement.

13 4. Granting preliminary approval of the costs of claims administration, not to
14 exceed \$20,000.00.

15 5. Appointing Plaintiff MARJORIE SAINT HUBERT as the Class
16 Representative.

17 6. Approving Omid Nosrati, Esq. of NOSRATILAW, APLC as class counsel
18 (“Class Counsel”) for the Settlement Class;

19 7. Approving the form of the Class Notice;

20 8. Approving the proposed schedule and procedure for completing the final
21 approval process, as set forth in the Settlement Agreement;

22 9. Preliminarily approving Class Counsel’s request for attorneys’ fees in the
23 amount of twenty-five percent (25%) of the Gross Settlement Payment (or, \$56,250.00),
24 and litigation costs not to exceed \$25,000.00; and

25 10. Preliminarily approving the Class Representative Enhancement Payment to
26 Plaintiff, MARJORIE SAINT HUBERT in the amount of \$5,000.00.

1 This Motion shall be based upon this second renewed Notice of Motion and Motion
2 for Preliminary Approval, the accompanying Memorandum of Points and Authorities, the
3 Declaration of Omid Nosrati, Esq., the Declaration of MARJORIE SAINT HUBERT, the
4 Settlement Agreement, the proposed class notice, the complete records and pleadings
5 filed in this action, and any additional written and/or oral evidence presented at or before
6 the hearing of this motion.

7 This Motion is made following the conference of counsel pursuant to Local Rule
8 7-3, which was initiated at the mediation on September 9, 2022. This motion is
9 unopposed.

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11 Dated: December 14, 2023

NOSRATILAW, APLC

12
13 /s/ Omid Nosrati

14 By: OMID NOSRATI
15 Attorney for Plaintiff,
16 MARJORIE SAINT HUBERT
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