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Jayson Swigart

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

**JAYSON SWIGART,
INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS
SIMILARLY SITUATED,**

Plaintiff,

v.

PARCEL PENDING, INC.,

Defendant.

Case No.: 18-cv-2238 BEN (WVG)

**NOTICE OF PLAINTIFF JAYSON
SWIGART'S MOTION FOR
PRELIMINARY OF APPROVAL OF
CLASS ACTION SETTLEMENT**

DATE: May 28, 2019

TIME: 10:30 a.m.

COURTROOM: 5A

HONORABLE ROGER T. BENITEZ

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on MAY 28, 2019 at 10:30 A.M. or as soon thereafter as the matter may be heard in COURTROOM 5A of the above captioned Court located at 221 WEST BROADWAY, SAN DIEGO, CA 92101, Plaintiff JAYSON SWIGART (“Swigart”) hereby moves the Court pursuant to Federal Rule of Civil Procedure 23 for preliminary approval of the Class Action Settlement reached in this case.

Specifically, through this Motion, Swigart moves, for certification of a settlement class; appointment of class counsel and class representatives; preliminary approval of the proposed Class Action Settlement; and, approval of the Parties’ proposed plan to provide notice to the class. This Motion is made on the following grounds:

1. The proposed Class satisfies the requirements of Rule 23 for conditional certification for settlement purposes only;
2. The proposed settlement is the product of non-collusive negotiations and is fundamentally fair, reasonable and adequate; and hence, warrants preliminary approval.

Defendant PARCEL PENDING, INC. does not oppose this motion.

This Motion is based on the accompanying Memorandum of Points and Authorities, the exhibits attached thereto, all pleadings and papers on file in this action and upon such other matters as the Court deems proper.

Dated: April 17, 2019

KAZEROUNI LAW GROUP, APC

By: /s/ Matthew M. Loker
MATTHEW M. LOKER, ESQ.
ATTORNEY FOR PLAINTIFF