

Misty M. Lauby, Esq. [CSB No. 243009]  
*misty@lmlfirm.com*  
LAUBY, MANKIN & LAUBY LLP  
5198 Arlington Avenue, PMB 513  
Riverside, CA 92504  
Tel: (951) 320-1444 | Fax: (951) 320-1445

Attorneys for Plaintiff and others similarly situated

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KEITH GUTHRIE, individually, on a  
representative basis, and on behalf of all  
others similarly situated;

Plaintiff,

vs.

ITS LOGISTICS, LLC, a Delaware  
Company, and DOES 1 through 20,  
inclusive;

Defendants.

Case No.: 1:21-CV-00729-KES-EPG

**FRCP RULE 23 CLASS ACTION**

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

Hearing

Date: April 21, 2025  
Time: 1:30 p.m.  
Courtroom: 6

Complaint filed: March 9, 2021

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on April 21, 2025 at 1:30 p.m., or as soon thereafter  
as the matter may be heard in the above-entitled Court located in Courtroom 6 at 2500  
Tulare Street, Fresno, CA 93721, Plaintiff Keith Guthrie will move, pursuant to FRCP  
Rule 23, for an order: (1) granting preliminary certification of the settlement class for  
settlement purposes only; (2) granting preliminary approval of the proposed settlement

1 including appointment of Plaintiff's counsel as Class Counsel; (3) authorizing the parties  
2 to provide the proposed Class Notice to the Class Members; and (4) setting a final  
3 approval or fairness hearing to be heard approximately 120 days after the date  
4 preliminary approval is granted, as the Court's calendar permits. A proposed order to this  
5 effect is filed concurrently herewith.

6 This motion is unopposed by Defendant ITS Logistics, LLC. The parties seek the  
7 Court's preliminary approval of the settlement in order to begin the process towards  
8 obtaining final approval of the proposed settlement through a final fairness hearing set  
9 approximately 120 days after preliminary approval. At that time, the Court will again  
10 have the opportunity to fully consider the proposed settlement before entering a final  
11 order.

12 This Motion is based upon this Notice, the Memorandum of Points and  
13 Authorities, the Class Action Settlement Agreement and Release of Claims, the  
14 declarations of Plaintiff's Counsel (Misty Lauby) filed herewith, and the proposed Order  
15 submitted herewith, the pleadings and records on file with this Court and on such oral and  
16 documentary evidence as may be presented at the time of hearing.

17  
18 Dated: March 24, 2025

LAUBY, MANKIN & LAUBY LLP

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20 BY: s/ Misty M. Lauby  
21 Misty M. Lauby, Esq.  
22 Attorneys for Plaintiff and the similarly  
23 situated employees  
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