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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 ANTONIO LOERA, JR. and CHARLOTTE  
14 DANIELS, on behalf of themselves and all others  
15 similarly situated,

16 Plaintiff,

17 vs.

18 COUNTY OF ALAMEDA, a political subdivision  
of the State of California,

19 Defendant.  
20  
21

) Case No. 3:23-cv-00792-LB  
)  
) **PLAINTIFFS' NOTICE OF MOTION AND**  
) **MOTION FOR CONDITIONAL**  
) **CERTIFICATION AND DISTRIBUTION**  
) **OF JUDICIAL NOTICE**  
)  
) Date: June 22, 2023  
) Time: 9:30 a.m.  
) Courtroom: B, 15<sup>th</sup> Floor  
) Judge: Hon. Laurel Beeler  
)  
) Complaint Filed: February 22, 2023  
) Trial Date: TBD

1 **TO DEFENDANT AND ITS ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on June 22, 2023, at 9:30 a.m., in Courtroom B, 15th Floor,  
3 Phillip Burton Federal Building, 450 Golden Gate Avenue, San Francisco, CA 94102, California,  
4 Plaintiffs Antonio Loera, Jr. and Charlotte Daniels (“Plaintiffs”), for themselves and on behalf of all  
5 others similarly situated, will move this Court for an order conditionally certifying this action as a  
6 collective action under the Fair Labor Standards Act (“FLSA”) and authorizing distribution of  
7 judicial notice. The motion is made pursuant to the FLSA, 29 U.S.C. § 216(b). This motion is made  
8 upon the grounds that the named and opt-in Plaintiffs and the current and former employees they  
9 seek to represent are “similarly situated,” and that notice of this action should be promptly sent to  
10 these individuals giving them notice of the lawsuit and the opportunity to join. *See Hoffmann-La*  
11 *Roche, Inc. v. Sperling*, 493 U.S. 165, 170 (1989).

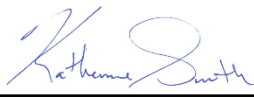
12 Plaintiffs move for conditional certification of the following collective: All Sheriff’s Safety  
13 Aides and individuals in similar or related positions who worked for the County of Alameda’s Alameda  
14 County Sheriff’s Office in and around the Oakland International Airport at any time from February 22,  
15 2020 to the final disposition of this case. To facilitate notice, Plaintiffs also request that the within ten  
16 days of the Court’s order, the County of Alameda be required to provide Plaintiffs’ counsel with a  
17 list of all Sheriff’s Safety Aides (in Excel or similar format) who are, or were, employed by the  
18 County of Alameda at any time during the three years preceding the date this lawsuit was filed  
19 through the date of the hearing on this motion. This list should include each individual’s (1) name,  
20 (2) job title, (3) last known address and telephone number, (4) dates of employment, (5) location  
21 of employment, (6) employee number, (7) last known personal email address (for former employees)  
22 or work email address (for current employees), and (8) social security number (last four digits only).  
23 Plaintiffs seek a 90-day notice period with a reminder postcard, with notice to be distributed by  
24 Plaintiffs’ counsel via U.S. Mail, email, and text message with authorization for potential Collective  
25 Action Members to respond by U.S. Mail, email, or fax. Plaintiffs further request approval of the  
26 proposed form of Notice and Consent to Join form and authorization of both forms to be sent by U.S.  
27 Mail, email, and text-message to all potential FLSA Collective members, with identical reminder  
28 notices to potential FLSA Collective members to issue after the expiration of 30 days and 60 days from

1 the day that the original notice is transmitted to any potential FLSA Collective member who has not  
2 responded.

3 This motion is based upon the notice of motion and motion, the accompanying memorandum of  
4 points and authorities, all accompanying declarations and exhibits, and the papers, records, pleadings  
5 on file in this action, and upon such other documentary and oral evidence or argument as may be  
6 presented to the Court at the hearing of this motion, as well as the declarations of counsel, Plaintiffs,  
7 and putative FLSA Collective members.

8 DATED: May 12, 2023

LEVY VINICK BURRELL HYAMS LLP

9  
10 By:   
11 KATHERINE L. SMITH  
12 Attorneys for Plaintiffs Antonio Loera, Jr. and  
Charlotte Daniels and the FLSA Collective