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16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
17 **IN AND FOR THE COUNTY OF KERN**

18 DAMMION MYLES, an individual, on
19 behalf of himself and on behalf of all
20 persons similarly situated,

21 Plaintiff,

22 vs.

23 BUILDERS CONCRETE, INC., a
24 California Corporation; VIKING READY
25 MIX CO., INC., a California Corporation;
26 and DOES 1 through 50, inclusive,

27 Defendants

Case No. BCV-20-102375

**NOTICE OF MOTION AND MOTION
FOR FINAL APPROVAL OF CLASS
SETTLEMENT**

Hearing Date: October 23, 2023
Hearing Time: 8:30 a.m.

*[Hearing scheduled by Order dated July 10,
2023 at paragraph 14]*

Judge: Hon. Bernard Barmann, Jr.
Courtroom: Div. H

Action Filed: October 9, 2020
Trial Date: Not Set

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

2 YOU ARE HEREBY NOTIFIED THAT at 8:30 a.m. on October 23, 2023, or as soon
3 thereafter as the matter can be heard, in Division H in the Metropolitan Division Justice
4 Building of the above entitled Court before the Honorable Bernard Barmann, Jr., Plaintiff
5 Dammion Myles (“Plaintiff”) will move for an order granting (1) Final Approval of the Class
6 Action Settlement, and (2) Entry of the Final Approval Order and Judgment.

7 This motion is brought in accordance with the Order dated July 10, 2023, and California
8 Rules of Court, rule 3.769. This Motion will be based on this notice, the accompanying points
9 and authorities, the Declaration of Norman Blumenthal, the forthcoming Declaration of the
10 Administrator, the Declaration of Plaintiff Dammion Myles, the Class Action and PAGA
11 Settlement Agreement (the “Agreement”), and the complete files and records in this action.

12 Because Plaintiff and Defendants Builders Concrete, Inc. and Viking Ready Mix Co.,
13 Inc. (“Defendants”) have agreed to the proposed class settlement and have met and conferred
14 regarding the motion, this motion is not opposed. Currently, there have been no objections
15 submitted by the Class.

16 Respectfully submitted,

17 Dated: September 26, 2023

18 **BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

19 By: /s/ Kyle Nordrehaug
20 Norman B. Blumenthal
21 Kyle R. Nordrehaug
22 Attorney for Plaintiff
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