

D.LAW, INC.
Emil Davtyan (SBN 299363)
emil@d.law
Roman Shkodnik (SBN 285152)
r.shkodnik@d.law
Enoch J. Kim (SBN 261146)
e.kim@d.law
Emma Geesamam (SBN 352715)
e.geesaman@d.law
Antonia McKee (SBN 344511)
a.bliznets@d.law
450 N. Brand Blvd., Suite 840
Glendale, CA 91203
Telephone: (818) 962-6465
Facsimile: (818) 962-6469

Attorneys for Plaintiffs RICHARD RICO
and YALMAR PASTORA

[Additional counsel and party listed on following page]

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

RICHARD RICO, an individual, on
behalf of himself and others similarly
situated,

Plaintiff,

v.

PREMIER LOGISTICS &
TRANSPORTATIONS, a California
Corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 34-2023-00334466

CLASS ACTION

Assigned for All Purposes To:
Hon. Jill Talley

**NOTICE OF MOTION AND PLAINTIFFS'
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION AND PAGA
SETTLEMENT**

*[Filed concurrently with Memorandum of Points
and Authorities; Declaration of Enoch J. Kim;
Declaration of David Yeremian; Declaration of
Richard Rico; Declaration of Yalmar Pastora; and
[Proposed] Order]*

Date: June 27, 2025
Time: 9:00 a.m.
Location: Department 22

Original Complaint Filed:	February 8, 2023
Amended Complaint:	June 1, 2023
Second Amended Complaint:	Sept. 11, 2023
Trial Date:	None Set

1 **DAVID YEREMIAN & ASSOCIATES, INC.**

2 David Yeremian (SBN 226337)

3 david@yeremianlaw.com

4 450 N. Brand Blvd., Suite 840

5 Glendale, CA 91203

6 Telephone: (818) 962-6465

7 Facsimile: (818) 962-6465

8 **EMPLOYMENT LAWYERS GROUP**

9 Karl Anthony Gerber (SBN 166003)

10 kgerber@emplaw.net

11 13418 Ventura Boulevard

12 Sherman Oaks, California 91423

13 Telephone: (818) 783-7300

14 Facsimile: (818) 995-7159

15 Attorneys for Plaintiffs RICHARD RICO
16 and YALMAR PASTORA

1 **TO THE HONORABLE COURT, ALL PARTIES, AND TO THEIR RESPECTIVE**
2 **ATTORNEYS OF RECORD:**

3 **NOTICE IS HEREBY GIVEN** that on June 27, 2025, at 9:00 a.m., or as soon thereafter
4 as the matter can be heard in Department 22 of the Sacramento County Superior Court located at
5 720 9th St., Sacramento, California 95814, Plaintiffs Richard Rico and Yalmar Pastora
6 (“Plaintiffs”) will and hereby do move this Court pursuant to California Code of Civil Procedure
7 § 382 and California Rule of Court 3.769 for an order granting preliminary approval of the
8 proposed class action and PAGA settlement on the terms and conditions set forth in the Class
9 Action and PAGA Settlement Agreement and Class Notice (“Settlement” or “Settlement
10 Agreement”), a copy of which is attached to the Declaration of Enoch J. Kim (“Kim Decl.”) as
11 **Exhibit “1”** filed concurrently herewith, between Plaintiffs and Defendant Premier Logistics &
12 Transportations (“Defendant”). Plaintiffs will further move that the order specifically encompass
13 the following:

14 (1) Preliminarily approving the class action settlement reached between Plaintiffs and
15 Defendant, including granting preliminary approval of the following class: “all current
16 and former non-exempt employees of Defendant during the Class Period,” which is
17 February 8, 2019, to July 9, 2024.

18 (2) Approving the form of Court Approved Notice of Class Action Settlement and
19 Hearing Date for Final Court Approval (“Class Notice”) and procedure for notice to
20 the class; and

21 (3) Setting the final approval hearing.

22 Pursuant to Labor Code § 2699.3(b)(4), the Parties also seek approval of the proposed
23 settlement’s allocation of funds to claims made under the Private Attorneys General Act of 2004
24 (“PAGA”).

25 This Notice of Motion and Motion is based on the fact that this is a fair and reasonable
26 settlement that benefits the class and was the product of informed, non-collusive negotiations by
27 the parties who were represented by experienced and able counsel. *See Dunk v. Ford Motor Co.*
28 (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation (Second) (1985)§ 30.44. The

1 proposed settlement meets the legal standard for preliminary approval and is in the best interests
2 of the class; the proposed form of notice explains the settlement terms in a clear and
3 straightforward manner; the proposed procedures for notice provide the best practical notice to
4 the class; and that Class Members will have an opportunity to participate in and/or object to the
5 settlement and/or opt-out of the settlement. Defendant does not oppose this Motion.

6 This Notice of Motion and Motion is based on this Notice, the accompanying
7 Memorandum of Points and Authorities, the Declarations of Enoch J. Kim, David Yeremian,
8 Richard Rico, and Yalmar Pastora, the pleadings, records and files in the case, and such other
9 further oral and documentary evidence which may be submitted at or before the hearing on this
10 Motion.

11
12 Dated: June 4, 2025

Respectfully submitted,

D.LAW, INC.

14 By: /s/ Enoch J. Kim

15 Emil Davtyan, Esq.
16 Roman Shkodnik, Esq.
17 Enoch J. Kim, Esq.
18 Emma Geesaman, Esq.
19 Antonia McKee, Esq.

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Attorneys for Plaintiffs Richard Rico,
Yalmar Pastora, and Other Class Members