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Attorneys for Plaintiff ERICK F. HARMON
on behalf of himself and others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

ERICK F. HARMON, an individual, on behalf
of himself and others similarly situated,

Plaintiff,

vs.

CARRINGTON MORTGAGE SERVICES,
LLC, a Delaware limited liability company;
and DOES 1 through 50, inclusive,

Defendants.

Case No. 30-2023-01339188-CU-OE-CXC

Assigned for All Purposes To:

Hon. Lon Hurwitz

Dept.: CX103

**PLAINTIFF'S NOTICE OF MOTION
AND UNOPPOSED MOTION FOR
APPROVAL OF PRIVATE
ATTORNEYS GENERAL ACT
SETTLEMENT AGREEMENT AND
RELEASE AND FOR AWARD OF
REASONABLE ATTORNEYS' FEES
AND COSTS AND ADMINISTRATION
COSTS**

Hearing Date: April 18, 2025

Time: 01:30 p.m

Department: CX103

Original Complaint Filed: July 27, 2023

Amended Complaint Filed: October 27, 2023

Trial Date: None set.

1 **TO THE COURT AND DEFENDANT AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that on April 18, 2025, at 1:30 p.m., or as soon thereafter as this matter
3 may be heard, at Department CX-103, located at Civil Complex Center 751 West Santa Ana
4 Blvd. Santa Ana, CA 92701 Plaintiff Erick Harmon (“Plaintiff” or “PAGA Representative”), on
5 behalf of himself and other similarly aggrieved employees of Defendant Carrington Mortgage
6 Services, Inc. (“Defendant”), will and hereby does move this Court for entry of an Order as
7 follows:

- 8 1. Granting approval, pursuant to California Labor Code § 2698 *et seq.*, and specifically §
9 2699(*l*), of the proposed Settlement of claims brought pursuant to the Private Attorneys
10 General Act of 2004 (Cal. Labor Code § 2698 *et seq.*) and set forth in the Private
11 Attorneys’ General Act Settlement Agreement and Release (“Settlement Agreement”), a
12 copy of which is attached as **Exhibit A** to the Declaration of PAGA Counsel David
13 Yeremian (“Yeremian Decl.”), filed concurrently herewith;
- 14 2. Appointing APEX Class Action Administration as the Settlement Administrator;
- 15 3. Approving the proposed Settlement Letter provided at **Exhibit A** to the Settlement
16 Agreement as to form and content, and directing the Settlement Administrator to distribute
17 it along with Individual Settlement Payment checks to the PAGA Employees pursuant to
18 the Settlement Agreement terms.
- 19 4. Directing the distribution of the Gross Settlement Amount of \$235,000 pursuant to the
20 terms of the Settlement Agreement and including distribution of the PAGA Settlement
21 Fund to the PAGA Employees and the LWDA; and
- 22 5. Approving an award of attorneys’ fees to PAGA Counsel in the amount of one-third of the
23 Gross Settlement Amount (
- 24 6. Approving an award of attorneys’ fees to PAGA Counsel in the amount of \$82,250;
25 an award of attorneys’ costs to PAGA Counsel in the amount of \$19,280; an award
26 of \$5,500 in administration costs to APEX Class Action Administration; and approving
27 the Individual Settlement Payments to the PAGA Employees and payment to the LWDA
28 from the PAGA Settlement Fund pursuant to the Settlement Agreement.

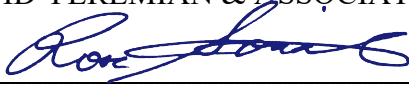
1 Pursuant to the proposed PAGA Settlement Agreement (“Settlement” or “Settlement
2 Agreement”), filed concurrently herewith, Defendant does not oppose the approval of the PAGA
3 settlement.

4 This Notice of Motion and Motion is based on this Notice, and the exhibits thereto, the
5 accompanying Memorandum of Points and Authorities, the Declaration of David Yeremian, the
6 Declaration of Alvin Lindsay, the Declaration of Erick Harmon, and such other further oral and
7 documentary evidence, which may be submitted at or before the hearing on this Motion.

8
9 Dated: January 21, 2025

D.LAW, INC.

DAVID YEREMIAN & ASSOCIATES, INC.

10
11 BY: 

Alvin B. Lindsay

Rose Sorial

Attorneys for Plaintiff, Erick Harmon and
all similarly Aggrieved Employees, and the
State of California