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

HERNAN NOTARIO CAZARIN, and
MOSES SILVA, on behalf of themselves
and all others similarly situated,

Plaintiffs,

vs.

U.C.I. CONSTRUCTION, INC., a
California corporation; COREY DELTA
CONSTRUCTORS, INC., a California
Corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. BCV-24-101433

Judge: Hon. Thomas S. Clark

Department: 17

CLASS ACTION

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION FOR AN ORDER (1)
PRELIMINARILY APPROVING THE
CLASS ACTION SETTLEMENT; (2)
APPROVING NOTICE OF CLASS ACTION
SETTLEMENT; AND (3) SETTING
HEARING FOR FINAL APPROVAL**

*[filed concurrently with Plaintiffs' Memorandum
of Points and Authorities; Declaration of Enoch
J. Kim; Declaration of Scott Lidman;
Declaration of Paul K. Haines; Declaration of
Michael Sutherland; Declaration of Moses
Silva; Declaration of Hernan Notario Cazarin]*

Date: August 28, 2025

Time: 8:30 a.m.

Dept.: 17

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Attorneys for Plaintiff
HERNAN NOTARIO CAZARIN

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

2 PLEASE TAKE NOTICE that on August 28, 2025 at 8:30 a.m., or as soon thereafter as
3 this matter may be heard, at Department 17, located at 1415 Truxtun Ave., Bakersfield,
4 California, 93301, Plaintiff Moses Silva (“Plaintiff Silva”) and Plaintiff Hernan Notario Cazarin
5 (“Plaintiff Cazarin”) (collectively, “Plaintiffs”), on behalf of themselves and all persons similarly
6 situated, will and hereby move this Court pursuant to California Code of Civil Procedure § 382
7 and California Rule of Court 3.769 for an order:

8 (1) Preliminarily approving the class action settlement reached between Plaintiffs and
9 Defendant U.C.I. Construction, Inc. (“Defendant UCI”) and Defendant Corey Delta
10 Constructors, Inc. (“Defendant Corey Delta”) (“Defendants”, collectively with
11 Plaintiffs, “the Parties”) which is embodied in the Parties’ Class Action and PAGA
12 Settlement Agreement (“Settlement” or “Settlement Agreement”), including granting
13 preliminary approval of the following class: all persons employed by Defendants in
14 California and classified as non-exempt, hourly employees who worked for
15 Defendants during the Class Period. The Class Period is the period from September
16 11, 2019 through October 25, 2024;

17 (2) Approving the form of Notice of Class Action Settlement and procedure for notice to
18 the Class; and

19 (3) Setting the final approval hearing.

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

23 This Notice of Motion and Motion is based on the fact that this is a fair and reasonable
24 settlement that benefits the Class and was the product of informed, non-collusive negotiations by
25 the Parties who were represented by experienced and able counsel. *See Dunk v. Ford Motor Co.*
26 (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation (Second) (1985) § 30.44.
27 The proposed Settlement meets the legal standard for preliminary approval and is in the best
28 interests of the Class; the proposed form of notice explains the settlement terms in a clear and

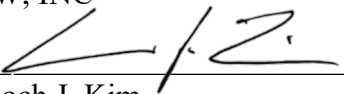
1 straightforward manner; the proposed procedures for notice provide the best practical notice to
2 the Class; and that Class Members will have an opportunity to participate in and/or object to the
3 Settlement and/or opt-out of the Settlement. Defendants do not oppose this Motion.

4 This Notice of Motion and Motion is based on this Notice, and the exhibits thereto
5 (including the Notice to Class Members), the accompanying Memorandum of Points and
6 Authorities, the Declaration of Enoch J. Kim; the Declaration of Scott Lidman; the Declaration of
7 Paul K. Haines; the Declaration of Michael Sutherland; the Declaration of Moses Silva; the
8 Declaration of Hernan Notario Cazarin, the pleadings, records and files in the case, and such
9 other further oral and documentary evidence which may be submitted at or before the hearing on
10 this Motion.

11
12 Dated: August 5, 2025

D.LAW, INC

13 By



14 Enoch J. Kim
15 Attorneys for Plaintiffs Moses Silva