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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: July 29, 2025

Time: 8:30 a.m.

Dept.: 17

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HERNAN NOTARIO CAZARIN

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

2                   PLEASE TAKE NOTICE that on July 29, 2025 at 8:30 a.m., or as soon thereafter as this  
3 matter may be heard, at Department 17, located at 1215 Truxtun Ave., Bakersfield, California,  
4 93301, Plaintiff Moses Silva (“Plaintiff Silva”) and Plaintiff Hernan Notario Cazarin (“Plaintiff  
5 Cazarin”) (collectively, “Plaintiffs”), on behalf of themselves and all persons similarly situated,  
6 will and hereby move this Court pursuant to California Code of Civil Procedure § 382 and  
7 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

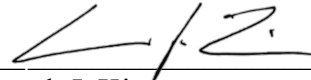
1 straightforward manner; the proposed procedures for notice provide the best practical notice to  
2 the Class; and that Class Members will have an opportunity to participate in and/or object to the  
3 Settlement and/or opt-out of the Settlement. Defendants do not oppose this Motion.

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: July 7, 2025

D.LAW, INC

13 By



14 Enoch J. Kim

15 Attorneys for Plaintiff Moses Silva  
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