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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

BERNETTIA CLARA WILLIAMS, on behalf of himself and all others similarly situated, and the general public, Plaintiff, v. EMPIRE TRANSPORTATION, INC., a California corporation; and DOES 1 through 50, inclusive, Defendants.	CLASS ACTION Case No. 23STCV21618 Honorable Timothy Patrick Dillon Dept.: 15 **PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR AN ORDER (1) PRELIMINARILY APPROVING THE CLASS ACTION AND PAGA SETTLEMENT; (2) APPROVING NOTICE OF CLASS ACTION SETTLEMENT; AND (3) SETTING HEARING FOR FINAL APPROVAL** Date: February 9, 2027 Time: 10:00 a.m. Dept.: 15 Complaint Filed: September 7, 2023 First Amended Complaint: November 16, 2023 Second Amended Complaint: June 3, 2024 Trial Date: None Set

TO THE COURT AND DEFENDANT AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on **February 9, 2027, at 10:00 a.m.,** or as soon thereafter as this matter may be heard in Department 15 of the Los Angeles County Superior Court, located at 312 N Spring Street, Los Angeles, California 90012, Plaintiffs Bernettia Clara Williams and David Hernandez ("Plaintiffs"), on behalf of themselves and all persons similarly situated, will and hereby moves this Court pursuant to California Code of Civil Procedure § 382 and California Rule of Court 3.769 for an order:

(1) Preliminarily approving the class action settlement reached between Plaintiffs and Defendant Empire Transportation, Inc. ("Defendant" collectively with Plaintiff, "the Parties"), including granting preliminary approval of the following Class: all persons who are or were employed by Defendant as hourly paid, non-exempt employees in the State of California at any time during the Class Period. Contract employees are not part of the "Class.";

(2) Approving the form of the Class Notice and procedure for notice to the class; and

(3) Setting the final approval hearing.

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

Pursuant to the proposed Class Action and PAGA Settlement Agreement ("Settlement" or "Settlement Agreement"), filed concurrently herewith, Defendant does not oppose the preliminary approval of the class action settlement.

Under the terms of the Settlement, the Parties have agreed that all claims brought on behalf of the Class Members shall be fully and finally resolved for the total sum of $550,000 ("Gross Settlement Amount") to be paid on a non-reversionary basis. The amount remaining of the Gross Settlement Amount after the following deductions have been made ("Net Settlement Amount") shall be available for distribution to Class Members who do not opt out of the settlement:

- not more than Ten Thousand Dollars ($10,000.00) to each Class Representative as

a Class Representative Service Payment;

- not more than One Hundred Eighty-One Thousand Five Hundred Dollars and Zero Cents ($181,500.00) to Class Counsel as a Class Counsel Fee Payment, and no more than Twenty-Five Thousand Dollars and Zero Cents ($25,000.00) as a Class Counsel Litigation Expenses Payment;
- up to $8,000.00 to the Administrator as an Administration Expenses Payment; and,
- $30,000 for civil penalties under the PAGA, where 75% ($22,500) will be paid to the LWDA and 25% ($7,500) will be distributed to Aggrieved Employees).

This Notice of Motion and Motion is based on the fact that this is a fair and reasonable settlement that benefits the class and was the product of informed, non-collusive negotiations by the parties who were represented by experienced and able counsel. *See Dunk v. Ford Motor Co.* (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation (Second) (1985) § 30.44. The proposed settlement meets the legal standard for preliminary approval and is in the best interests of the class; the proposed form of notice explains the settlement terms in a clear and straightforward manner; the proposed procedures for notice provide the best practical notice to the class; and that Class Members will have an opportunity to participate in and/or object to the settlement and/or opt-out of the settlement.

This Notice of Motion and Motion is based on this Notice, and the exhibits thereto (including the Notice to Class Members), the accompanying Memorandum of Points and Authorities, the Declaration of Marta Manus and exhibits thereto, the Declarations of Bernettia Clara Williams and David Hernandez, the Declaration of Jonathan Paul, the pleadings, records and files in the case, and such other further oral and documentary evidence which may be submitted at or before the hearing on this Motion.

Dated: November 12, 2026 D.LAW, INC.

By _____
Marta Manus
Attorneys for Plaintiffs, Bernettia Clara Williams and David Hernandez, on behalf of themselves and others similarly situated