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Attorneys for Plaintiff David T. Atkins,
on behalf of himself and others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

DAVID T. ATKINS, on behalf of himself
and others similarly situated,

Plaintiff,

vs.

GODADDY.COM, LLC. a Delaware limited
liability company; GODADDY MEDIA
TEMPLE, INC. a California corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: 23STCV23396

Assigned for All Purposes To:
Hon. William F. Highberger
Dept.: 10

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

Date: September 9, 2025
Time: 10:30 a.m.
Dept: 10

Complaint filed: September 26, 2023
First Amended Complaint: November 27, 2023
Trial Date: None set

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

2 PLEASE TAKE NOTICE that on September 9, 2025, at 10:30 a.m. in Department 10 of
3 the Courthouse of the Los Angeles County Superior Court located at 312 N. Spring St., Los
4 Angeles, CA 90012, Plaintiff DAVID T. ATKINS (“Plaintiff”), on behalf of himself and other
5 similarly situated employees of GODADDY.COM, LLC. and GODADDY MEDIA TEMPLE,
6 INC (“Defendants”) (collectively, “the Parties”), will and hereby do move this Court pursuant to
7 California Code of Civil Procedure § 382 and California Rule of Court 3.769 for an order as
8 proposed:

- 9 (1) Preliminarily approving the class action settlement reached between Plaintiff and
10 Defendant, including granting preliminary approval of the following class: “all non-
11 exempt, hourly individuals that worked for Defendants in California during the Class
12 Period (i.e. the period from September 26, 2019, through April 30, 2025).
13 (2) Approving the form of Notice of Class Action Settlement and procedure for notice to
14 the class; and
15 (3) Setting the final approval hearing.

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

19 Pursuant to the proposed Class and PAGA Action Settlement Agreement (“Settlement” or
20 “Settlement Agreement”), filed concurrently herewith, Defendants do not oppose the preliminary
21 approval of the class action settlement.

22 Under the terms of the Settlement, the Parties have agreed that all claims brought on behalf
23 of the Class Members shall be fully and finally resolved for the total sum of Three Hundred Eighty
24 Thousand Dollars and Zero Cents (\$380,000.00) (“Gross Settlement Amount”) to be paid on a
25 non-reversionary basis. The amount remaining of the Gross Settlement Amount after the following
26 deductions have been made (“Net Settlement Amount”) shall be available for distribution to Class
27 Members who do not opt out of the settlement:

- 28 • not more than One Hundred Twenty-Six Thousand Six Hundred Sixty-Six Dollars

1 and Sixty-Seven Cents (\$126,666.67) to Class Counsel for attorneys' fees, and not
2 more than Forty Thousand Dollars and Zero Cents (\$40,000.00) to Class Counsel
3 for litigation costs;

- 4 • not more than Five Thousand Dollars and Zero Cents (\$5,000.00) for the settlement
5 administration costs;
- 6 • not more than Five Thousand Dollars and Zero Cents (\$5,000.00) to Plaintiff as a
7 Class Representative Enhancement Award; and
- 8 • Forty Thousand Dollars and Zero Cents (\$40,000) for civil penalties under the
9 PAGA, where 75% (\$30,000.00) will be paid to the LWDA and 25% (\$10,000.00)
10 will be paid to Aggrieved Employees for their Individual PAGA Payments.

11 This Notice of Motion and Motion is based on the fact that this is a fair and reasonable
12 settlement that benefits the class and was the product of informed, non-collusive negotiations by
13 the parties who were represented by experienced and able counsel. *See Dunk v. Ford Motor Co.*
14 (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation (Second) (1985) § 30.44. The
15 proposed settlement meets the legal standard for preliminary approval and is in the best interests
16 of the class; the proposed form of notice explains the settlement terms in a clear and
17 straightforward manner; the proposed procedures for notice provide the best practical notice to the
18 class; and that Class Members will have an opportunity to participate in and/or object to the
19 settlement and/or opt-out of the settlement.

20 This Notice of Motion and Motion is based on this Notice, and the exhibits thereto
21 (including the Notice to Class Members), the accompanying Memorandum of Points and
22 Authorities, the Declaration of Marta Manus, the Declaration of David T. Atkins, the Declaration
23 of Michael Sutherland, the Declaration of Bennett Berger, the pleadings, records and files in the
24 case, and such other further oral and documentary evidence which may be submitted at or before
25 the hearing on this Motion.

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Dated: June 13, 2025

Respectfully submitted,
D.LAW, INC.

By 

Emil Davtyan
David Yeremian
Enoch J. Kim
Marta Manus
Attorneys for Plaintiff and Settlement Class